ATT MONITOR
A Project of Control Arms

DEALING IN DOUBLE STANDARDS

HOW ARMS SALES TO SAUDI ARABIA ARE CAUSING HUMAN SUFFERING IN YEMEN

CASE STUDY 2

2016

THE CONTINUING TRANSFER OF ARMS TO SAUDI ARABIA IN 2015, GIVEN THE YEMEN CRISIS, SHOWS THAT A NUMBER OF STATES PARTIES ARE NOT MEETING THEIR LEGAL OBLIGATIONS UNDER THE UNITED NATIONS ARMS TRADE TREATY.

In March 2015, following heavy fighting, a long-running political crisis in Yemen erupted into full-blown conflict. In January, Houthi rebel forces seized control of the capital Sana'a, triggering the collapse of the internationally recognised government.[1] After President Hadi requested external military intervention, a coalition of states led by Saudi Arabia began aerial bombing in Yemen, with an aim of restoring the deposed government.[2]

Since then, civilians have been under near-daily threat. Coalition air strikes have hit civilians and civilian infrastructure across the country, while Houthi forces and their allies have repeatedly shelled populated areas.[3]

The violence has caused a severe humanitarian crisis, with widespread reported violations of international humanitarian and human rights laws, committed by all parties.[4]

The transfer of arms and ammunition to Saudi Arabia in particular is fuelling the conflict. Saudi Arabia was among the biggest markets for arms exporters during the past decade, and in 2014 became the largest importer of defence equipment worldwide.[5] Many exporters to Saudi Arabia are States Parties or Signatories to the Arms Trade Treaty (ATT).

This case study investigates the extent of arms transfers to Saudi Arabia by ATT States Parties and Signatories between the Treaty's entry into force (in December 2014) and 1 February 2016. It pays particular attention to licences authorised and transfers made after the Saudi-led military intervention in Yemen began on 26 March 2015.[6]

Many States have not provided up-to-date information on their arms transfers during 2015. The paucity of data in the public domain means that it is not possible to present a comprehensive picture of trade between ATT States Parties and Saudi Arabia during this time. It is likely that evidence of more transfers will become available. However, this case study still demonstrates that Saudi Arabia has remained a significant market for arms exporters since the ATT entered into force.

The study does not focus on the supply of arms to Houthi forces and their allies in Yemen, who have been subject to arms embargoes imposed by the United Nations (UN) Security Council since April 2015,[7] and the European Union (EU) since June 2015.[8] There is no evidence that the Houthis and their allies are receiving arms from States Parties to the ATT. They are believed to source weapons via:

- Homemade munitions,[9]
- Battlefield seizures and unsecured stockpiles,[10]
- Diversion from Yemeni national forces,[11]
- Illicit arms transfers (reported but not yet confirmed).[12]

All UN Member States are bound to comply with embargoes imposed by the UN Security Council. Therefore, those supplying arms to Houthis and their allies in Yemen should stop immediately, while all possible legal steps should be taken to prevent weapons and ammunition from reaching Houthi forces in Yemen.

This case study outlines the context in which arms are being transferred. It provides an illustrative summary of arms transfers and licence authorisations to Saudi Arabia since the ATT entered into force.[13] Finally, it questions whether these deals violate legal obligations under the ATT. It does not examine whether States are additionally breaking regional or national laws.

CONFLICT IN YEMEN

Since March 2015, more than 35,000 people have been killed and injured in fighting across Yemen. According to the UN, almost 3,000 killed and over 5,600 injured were civilians. More than 700 children have been killed.[14] The UN Office for the Coordination of Humanitarian Affairs reports that over 2.5 million people are internally displaced.[15]

Repeated efforts to negotiate a ceasefire have failed, and the conflict still rages. Parties often use heavy explosive weapons, including aircraft bombs, rockets and artillery, to carry out attacks in, on and around residential areas and civilian objects.[16] Aerial munitions, frequently dropped in populated areas, including Sana'a, have been responsible for much human suffering.[17]

There is increasing evidence of serious violations of international humanitarian law (IHL) and international human rights law (IHRL) by all parties.[18] The UN Under-Secretary-General for Humanitarian Affairs has condemned coalition airstrikes as being "in clear contravention of international humanitarian law, and unacceptable."[19] The International Committee of the Red Cross (ICRC) has called for fighting to take place in accordance with IHL, as hospitals have endured repeated attack from air strikes and shelling.[20] In January 2016, a report prepared for the UN Security Council by a panel of experts on Yemen identified 119 coalition air sorties relating to violations of IHL.[21] It states that airstrikes have targeted civilians and civilian objects, including residential areas, markets, schools, mosques, factories and food warehouses, and gatherings such as weddings.[22]

Coalition naval forces have also imposed a blockade on Yemeni ports. This is believed to have greatly exacerbated the humanitarian crisis, contributing to severe food and fuel shortages. Concerns have been raised that the blockade may also be causing serious violations of IHL and IHRL.[23]

> **THEREFORE, THOSE SUPPLYING ARMS TO HOUTHIS AND THEIR ALLIES IN YEMEN SHOULD STOP IMMEDIATELY, WHILE ALL POSSIBLE LEGAL STEPS SHOULD BE TAKEN TO PREVENT WEAPONS AND AMMUNITION FROM REACHING HOUTHI FORCES IN YEMEN.**

ARMS TRANSFERS TO COALITION PARTNERS

The coalition in Yemen, led by Saudi Arabia, also includes Bahrain, Egypt, Jordan, Kuwait, Morocco, Qatar, Sudan and the United Arab Emirates (UAE).[24] Other states have provided material and technical support, or have pledged ground troops in support of coalition activities.[25]

In addition to transfers to Saudi Arabia, ATT States Parties transferred arms to other coalition partners, including those militarily involved in Yemen during 2015. For example, the UK authorised US$466m (£317m)[26] in arms licences to the eight other members of the coalition between January and September 2015.[27]

Licences granted by Germany for exports of major conventional arms between January and June 2015 to other coalition partners totalled US$$195m (€183m). Germany also authorised licences for exports of small arms and light weapons to coalition countries, including 3,000 submachine guns worth US$3.7m (€3.5m) to UAE.[28]

Other major sales reported in 2015 include France's agreement to sell 24 Rafale fighter jets worth US$7bn to Qatar,[29] and a deal to sell two warships worth US$1bn (€950m) to Egypt.[30] The US announced major sales to several coalition partners, including the possible sale of more than 1,000 aircraft bombs to UAE worth US$130m.[31]

ARMS TRANSFERS TO SAUDI ARABIA

Many countries transferred arms to Saudi Arabia prior to the ATT entering into force. Transfer data made available by the Stockholm International Peace and Research Institute (SIPRI) shows that in 2014, major conventional arms were transferred to Saudi Arabia by: Canada, France, Germany, the Netherlands, South Africa, Spain, Sweden, Switzerland, Turkey, the UK and the US.[32] The United Nations database on international trade (Comtrade) shows that in 2014, 24 states exported arms, ammunition, and parts and components to Saudi Arabia.[33]

In many cases, export licences authorised prior to the ATT entering into force may have still been valid throughout 2015.[34] Under Article 7.7 of the Treaty, States Parties that granted export authorisations prior to 2015 and are in the delivery phase of these exports should reassess these licences in light of Saudi Arabia's role in the Yemen conflict.

Several ATT States Parties and Signatories continued to issue export licences to Saudi Arabia in 2015. States Parties alone reported licenses and sales worth over US$4.9 billion. The US, a Signatory to the ATT, is the largest supplier of arms to Saudi Arabia,[35] and in 2015 announced intended sales worth more than US$20bn. **Based on the limited information in the public domain therefore, the total reported value of licences and announced sales to Saudi Arabia in 2015 by States Parties and Signatories to the ATT was more than US$25 billion**.

ATT STATES PARTIES

The following summary of reported licence authorisations and exports of conventional arms to Saudi Arabia in 2015 is non-exhaustive. It is based on evidence gathered from national reports, as well as from publicly available datasets.[36] In many cases, States have not provided data on transfers in 2015, or have only provided data covering part of the year. This summary is therefore likely only to reflect a fraction of the trade with Saudi Arabia in 2015.

FRANCE

LICENCES

France has not yet made information available about export licences issued in 2015.

In June 2015 French media reported plans for Saudi Arabia to purchase 23 H-145 multipurpose helicopters from French manufacturer Airbus in a deal worth US$534m (€500m), part of a wide series of military and non-military contracts.[37] Additional reporting in October 2015 claimed France had agreed to sell 30 fast patrol boats.[38]

EXPORTS

During 2015, SIPRI data shows that France continued to transfer a broad range of military equipment to Saudi Arabia, including four CAESAR 155mm self-propelled guns – part of a 2011 deal worth US$180m (€169m). Other major transfers included 340 Mistral portable surface-to-air missiles (MANPADS) and 100 Aravis armoured personnel carriers (APCs), both for the Saudi Arabia National Guard.[39]

> **THE TOTAL REPORTED VALUE OF LICENCES AND ANNOUNCED SALES TO SAUDI ARABIA IN 2015 BY STATES PARTIES AND SIGNATORIES TO THE ATT WAS MORE THAN US$25 BILLION.**

GERMANY

LICENCES

Germany authorised 66 export licences to Saudi Arabia in the first half of 2015, valued collectively at US$191m (€178.69m). These included deals to sell armoured cross-country vehicles, target simulation drones and parts for combat aircraft.[40]

Statements made in January 2016 by German Vice-Chancellor Sigmar Gabriel and by the German Ministry of Economy suggest that the government is re-evaluating its policy regarding sales of military equipment to Saudi Arabia.[41] In April 2015, the German government prevented the export of more than 200 Leopard 2 tanks to Saudi Arabia, although it continued to provide 'defensive weapons'.[42] In October, the government stopped approving licence applications for the export of G36 assault rifles to Saudi Arabia.[43]

ITALY

LICENCES

Italy has not yet published data on licences authorised for export in 2015.

EXPORTS

Italian arms manufacturer RWM Italia transferred at least six shipments of Mark-80 series bombs to Saudi Arabia in 2015 and January 2016.[44] According to official statistics, between January and November 2015 Italy exported US$39.7m (€37.2m) worth of arms, ammunition and spare parts to Saudi Arabia.[45]

MONTENEGRO

LICENCES

Montenegro has not yet provided data on licences authorised for export in 2015.

EXPORT

Montenegro has no transfer history with Saudi Arabia prior to 2015.[46] However, in 2015, UN Comtrade data shows that Montenegro exported US$2m in arms, ammunition, parts and accessories to Saudi Arabia. All exports took place between August and December. No further information was available at the time of publication.[47]

YEMEN IS IN FLAMES. COALITION AIRSTRIKES IN PARTICULAR CONTINUE TO STRIKE HOSPITALS, SCHOOLS, MOSQUES AND CIVILIAN INFRASTRUCTURE [...] WE NEED STATES THAT ARE PARTY TO THE ARMS TRADE TREATY TO SET AN EXAMPLE IN FULFILLING ONE OF THE TREATY'S MAIN PURPOSES – CONTROLLING ARMS FLOWS TO ACTORS THAT MAY USE THEM IN WAYS THAT BREACH INTERNATIONAL HUMANITARIAN LAW.

UNITED NATIONS SECRETARY-GENERAL BAN KI-MOON, 5 FEBRUARY 2016.[48]

Arms transfers to Saudi Arabia in 2015

Data for this map comes from SIPRI, and is available for download at www.sipri.org. It covers the transfers of major conventional arms. Licensing data for 2015 is not included in this map. Additional data from UN Comtrade comtrade.un.org (Montenegro), FundiPau fundipau.org (Spain) and Swiss Customs Administration www.ezv.admin.ch (Switzerland).

THE NETHERLANDS

LICENCES

Between 26 March 2015 and 15 January 2016, the Netherlands issued four licences for Saudi Arabia: two for export and two for transit. The export licences totalled US$2.98m (€2.8m) in value, covering components for military training aircraft.

Since July 2015 Dutch export policy to members of the Saudi-led coalition has become more restrictive. The government has rejected licence applications for military equipment that it believes could be used either in aerial bombing or by ground forces in Yemen, as well as rejecting orders for parts for Unmanned Aerial Vehicles (UAVs).[49]

SPAIN

LICENCES

National reporting to June 2015 shows that Spain authorised eight licences for export to Saudi Arabia, worth US$28.9m (€27m).[50] These covered bombs, torpedoes, rockets and missiles (US$18.4m, €17.3m), as well as fire control systems (US$688,000, €645,000) and aircraft (US$2.3m, €2.2m). In February 2016, Spanish media reported the prospective agreement of a US$3.3bn (€3bn) deal for Spanish defence contractor Navantia to build five Avante 2200 frigates for the Saudi navy.[51]

EXPORTS

Exports to Saudi Arabia in this period were worth over US$478m (€447m), and included two air-to-air refuelling aircraft, spare parts for fighter jets, technical assistance, ammunition and small arms including automatic weapons of 12.7mm calibre.[52]

SWEDEN

LICENCES

In March 2015 the Swedish Government announced that a 10-year Memorandum of Understanding (MoU) on military cooperation between Sweden and Saudi Arabia would not be renewed, after a diplomatic dispute over human rights between the two countries.[53] The MoU expired in November 2015. The last known licences to Saudi Arabia authorised by the Swedish government took place in March 2015.[54]

SWITZERLAND

LICENCES

Switzerland has not yet provided data on licences authorised for export in 2015.

EXPORTS

Between January and September 2015, Switzerland exported arms, ammunition, parts and accessories to Saudi Arabia worth US$5.4m (CHF5.5m), but no further information is available.[55]

UK

LICENCES

Between 1 January and 30 September 2015, the UK issued 152 licences for military exports to Saudi Arabia, totalling US$4.16bn (£2.8bn).[56] Nine of these licenses, together worth more than $1.6bn (£1bn) were for bombs, torpedoes, rockets and missiles, granted for end-use by the RSAF. Another 23 licences worth a total of US$2.5bn (£1.7bn) were for aircraft and component parts. The UK did not refuse any standard licences to Saudi Arabia in the first nine months of 2015.[57]

The UK has also confirmed its support and maintenance for UK-supplied equipment, with Ministry of Defence and BAE Systems personnel stationed in Saudi Arabia to support the RSAF.[58]

EXPORTS

During 2015 the UK delivered combat aircraft to Saudi Arabia including three Typhoon Block-20 jets as part of a US$6.5bn (£4.4bn) deal agreed in 2007. It also delivered a 2013 deal for 2,400 Paveway-IV guided bombs worth US$250m (£150m), as well as two air refuel systems.[59]

ATT SIGNATORIES

Signatories are bound by the Vienna Convention on the Law of Treaties not to do anything to defeat the Object and Purpose of the Treaty. Article 1 of the ATT (Object and Purpose) states that the Treaty's purpose includes the reduction of human suffering. Given the evidence that arms exports to Saudi Arabia are likely to contribute to serious violations of IHL and IHRL, it is clear that continuing such exports will be incompatible with the Object and Purpose of the ATT. However, Turkey and the US, both signatories to the Treaty, transferred arms to Saudi Arabia in 2015.

TURKEY

LICENCES

Turkey has not yet provided data on licences authorised for export in 2015.

EXPORTS

In 2014 Turkey agreed to sell to Saudi Arabia hundreds of M-113 APCs in a US$200m deal, as well as more than US$2.7m in small arms and ammunition.[60] SIPRI data shows that production and delivery of M-113s continued to take place during 2015.[61]

US

LICENCES

The US remains a significant supplier of arms to Saudi Arabia. Licensing data for 2015 has not yet been made available, but during the year, the State Department approved six major arms sales to the country, collectively worth US$20.8bn. They include the proposed transfer of 10 MH-60R and nine UH-60M Black Hawk helicopters,[62] 600 Patriot missiles, [63] battleships and missiles,[64] and tank and artillery ammunition for the Royal Saudi Land Forces.[65]

In November the State Department notified Congress of plans to sell 18,440 aircraft bombs (both guided and general purpose) to Saudi Arabia, in a deal worth US$1.29bn. The package also included 1,500 warheads, as well as thousands of parts for these bombs such as fuses and tail kits to modify guidance systems.[66] Following this announcement, Congress invoked new oversight powers that requested it be given 30 day's notification of any future sales to Saudi Arabia.[67]

EXPORTS

US transfers to Saudi Arabia in 2015 included 35 Apache combat helicopters, as well as a range of ammunition, parts and components.[68]

NON STATES PARTIES TRANSFERS TO SAUDI ARABIA

Canada and China are not currently States Party to the ATT, and both transferred weapons to Saudi Arabia in 2015.

China exported two UAVs in 2015, although the final recipient may be the UAE.[69]

In February 2014 the Canadian government announced a multi-year deal for General Dynamics Land Systems to supply light armoured vehicles (LAVs) to Saudi Arabia for its National Guard. The largest military export order in Canada's history, the total contract value is US$10.9bn (C$14.9bn). One vehicle variant will include a 105mm high-pressure gun to be supplied by CMI Defence in Belgium.[70]

Canada's new government has publicly stated its intent to accede to the ATT. If it does so while this contract is still in place, the Treaty will oblige the government to reassess it and any other agreement, to determine the likelihood that its exports of military equipment could be used to commit or facilitate a serious violation of IHL and IHRL.

THE ARMS TRADE TREATY AND TRANSFERS TO SAUDI ARABIA

The ATT now applies in full to all States Parties to the Treaty for whom it has entered into force. For those countries, the serious violations of IHL and IHRL in Yemen, and continuing transfers to Saudi Arabia and its coalition partners in that context, represent a major test of their willingness to implement their legal obligations.

Several articles of the Treaty apply directly to recent cases of licence approvals and arms transfers to Saudi Arabia.

Article 6 (Prohibitions) requires every exporting State Party to prohibit any transfer of items covered by the Treaty if it would breach an arms embargo, or 'if the transfer would violate its relevant international obligations under international agreements to which it is a Party'.[71] At the time of publication, the only multilateral embargoes that apply to the conflict in Yemen are the UN Security Council and EU embargoes, which both apply to transfers to Houthi leaders and their supporters. If any future extension of the UN embargo is adopted by the Security Council and imposed on any other party to the conflict, all Member States must comply with those obligations as required by the UN Charter and ATT Article 6.1. Any arms embargoes imposed by the EU or other multilateral group must also be fully implemented, as required by Article 6.2.

Article 6.3 of the ATT imposes an absolute obligation on a State Party not to authorise a transfer if 'it has knowledge at the time of authorization that the arms or items would be used in the commission of genocide, crimes against humanity, grave breaches of the Geneva Conventions of 1949, attacks directed against civilian objects or civilians protected as such, or other war crimes as defined by international agreements to which it is a party'.[72] 'Knowledge' here means that the State Party must know (because the circumstances are notorious) or have reasonable suspicions that the arms would be used for such crimes, even if it failed to check widely available credible reports. Crucially this provision applies to the Treaty obligations of the authorising State, not those of the recipient. Given the current situation in Yemen, State Parties to the ATT must adhere to their legal obligation to not authorise any potential export of lethal military equipment that could be used unlawfully in Yemen.

Under ATT **Article 7 (Export and Export Assessment)**, if an export is not prohibited under Article 6, States Parties must carry out a comprehensive risk assessment prior to authorisation. States must, among other criteria, investigate the likelihood that arms might be used to commit or facilitate a serious violation of IHL [Article 7 (1.a)] or IHRL [Article 7 (1.b)].

Legal examinations of States Parties' recent risk assessments in this context are now taking place in several countries. In the UK for instance, London-based law firm Matrix Chambers prepared a legal opinion on the UK's supply of arms to Saudi Arabia in December 2015, in which it assessed a non-exhaustive list of incidents that it believes constitute prima facie evidence of serious violations of IHL and IHRL. Matrix Chambers conclude that the lack of evidence of effective steps by Saudi Arabia to mitigate the risk of any future violations with such arms means there is a real risk that further serious violations could occur. The legal opinion states that 'there is no evidence to suggest that UK exported weapons or items *would* make such a contribution to peace and security as to override that risk'.[73] As a result, 'the transfer of weapons and related items by the UK to Saudi Arabia capable of being used in its military campaign in Yemen, including in particular in the enforcement of its blockade of Yemeni ports, constitutes a prima facie breach by the UK of Article 7'.[74]

In line with Matrix Chamber's conclusion that the UK's transfers of arms which would be deployed in future attacks against civilian objects or civilians in Yemen are in breach of the UK's obligations under Article 7, exports of similar equipment by other States Parties to the ATT should also be seen as a breach of Article 7.[75]

Not all export authorisations and arms transfers to Saudi Arabia in 2015 will necessarily violate the ATT. However, without comprehensive reporting by exporting and importing states, it is difficult for independent observers to determine associated risk.

The lack of transparency that currently exists means that judgements must be made on transfers in light of the information available. **It is therefore in the interests of States to be fully transparent in their reporting, in order to demonstrate the extent to which they are complying with ATT obligations.**

Any rigorous risk assessment will reveal an overriding risk that the export of lethal military equipment to Saudi Arabia in current circumstances is likely to be used in further violation of IHL and IHRL in Yemen. Such exports should therefore be refused by all ATT States Parties.

Article 9 (Transit or transhipment) and **Article 10 (Brokering)** are also relevant. If a State Party has reason to believe that transfers destined for Saudi Arabia are passing through its territory or being brokered under its jurisdiction, the ATT requires it to take appropriate measures to regulate the transit or transhipment, and the brokering, of these items.

Article 11 (Diversion) should also be taken into account. This obliges States Parties to take measures to prevent the diversion of conventional arms to unauthorised users, or to the illicit arms market. Media reports have suggested, for example, that German transfers of G3 rifles to Saudi Arabia were diverted without permission to Yemen.[76] Others describe weapons being air-dropped by coalition planes directly to conflict parties on the ground.[77] States Parties should reassess any proposed authorisation or ongoing transfer in light of such reports.

Conclusion

The above evidence raises serious concerns that some ATT States Parties and Signatories are adopting a 'business as usual' attitude regarding transfers to Saudi Arabia. Several States Parties appear in direct violation of legally binding Treaty obligations by continuing to supply arms to Saudi Arabia where there is a clear risk that they will be used in breach of international law in Yemen.

States Parties must comply with their legal obligations and live up to the Treaty's objective of reducing human suffering. Given the scale of the humanitarian crisis in Yemen and the widely-reported unlawful use of weapons in the conflict raging there, it is inconceivable that lethal military equipment can continue to be authorised for export.

The first years of the ATT's entry into force are the time in which a new norm is established against the reckless transfer of arms. If properly implemented, the ATT could have a significant impact in helping end the desperate suffering in Yemen. For that to happen however, States Parties must ensure that they fulfil their Treaty obligations.

This Case Study has been prepared by the ATT Monitor, with extensive support, background research and documentary evidence provided by experts including Nic Marsh, Stuart Maslan and Rachel Stohl; and representatives of organisations including Amnesty International Secretariat, Amnesty International Spain, Amnesty International UK, Groupe de recherche et d'information sur la paix et la sécurité (GRIP), Observatoire des armements, Oxfam Germany, Oxfam International, PAX, Project Ploughshares, Rete Italiana per il Disarmo, Saferworld, and Stockholm International Peace Research Institute (SIPRI). Art Direction and Graphic Design by Collected Pros Ltd. Infographic by Tutaev Design,

ANY RIGOROUS RISK ASSESSMENT WILL REVEAL AN OVERRIDING RISK THAT THE EXPORT OF LETHAL MILITARY EQUIPMENT TO SAUDI ARABIA IN CURRENT CIRCUMSTANCES IS LIKELY TO BE USED IN FURTHER VIOLATION OF IHL AND IHRL IN YEMEN. SUCH EXPORTS SHOULD THEREFORE BE REFUSED BY ALL ATT STATES PARTIES.

UNEXPLODED MK 80-SERIES GENERAL PURPOSE BOMB OUTSIDE A ROW OF SHOPS IN SAADA CITY, YEMEN, 26 SEPTEMBER 2015.

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ENDNOTES

1 For background to the crisis in Yemen prior to 2015 see International Crisis Group, 'Crisis Watch Database', Yemen, www.crisisgroup.org/en/publication-type/crisiswatch/crisiswatch-database.aspx (accessed 18 February 2016).

2 Nine states are members of the coalition in Yemen: Bahrain, Egypt, Jordan, Kuwait, Morocco, Qatar, Saudi Arabia, Sudan and United Arab Emirates. In addition, other states have provided material and technical support, or have pledged ground troops in support of coalition activities. See page 5 of United Nations Human Rights Council, 'Situation of human rights in Yemen', 7 September 2015, http://reliefweb.int/sites/reliefweb.int/files/resources/A_HRC_30_31_AEV.pdf, (accessed 4 February 2016).

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5 IHS Jane's 360, 'Saudi Arabia replaces India as largest defence market for US', 8 March 2015, www.janes.com/article/49809/saudi-arabia-replaces-india-as-largest-defence-market-for-us (accessed 3 February 2016).

6 This case study focuses principally on the transfer of major conventional arms, as timely and comprehensive data on the transfer of small arms and light weapons, as well as ammunition, is particularly limited at the time of publication. ATT Monitor believes that States Parties should apply the provisions within the ATT to exports of all military equipment in line with the direction in Article 5.3 that 'Each State Party is encouraged to apply the provisions of this Treaty to the broadest range of conventional arms'. For more information see Chapter 1.2 of Control Arms, 'ATT Monitor Report 2015', August 2015, http://armstreatymonitor.org/current/wp-content/uploads/2015/08/Full-Annual-Report.pdf (accessed 18 February 2016).

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10 International Crisis Group, 'The Huthis: From Saada to Sanaa', Middle East Report Number 154, 10 June 2014, www.crisisgroup.org/~/media/Files/Middle%20East%20North%20Africa/Iran%20Gulf/Yemen/154-the-huthis-from-saada-to-sanaa (accessed 8 February 2016).

11 Cables prepared for the CIA and made public by Wikileaks, 9 December 2009, https://wikileaks.org/plusd/cables/09SANAA2186_a.html (accessed 9 February 2016).

12 IHS Jane's Defence Weekly, 'Suspected Iranian missile shipment seized in Arabian Sea', 30 September 2015, www.janes.com/article/54961/suspected-iranian-missile-shipment-seized-in-arabian-sea (accessed 9 February 2016).

13 In the absence of national transfer reports, the first of which are due on 31 May 2015, and which should provide comprehensive data on arms transfers in the past calendar year, this is a non-exhaustive summary of reported licence authorisations and transfers.

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17 As of 31 July 2015, 60 per cent of the 5,239 civilian deaths and injuries from explosive weapon use recorded in Yemen by UK-based NGO Action on Armed Violence (AOAV) were caused by aerial bombing. UN OCHA and AOAV, 'State of Crisis: Explosive Weapons in Yemen', September 2015, https://docs.unocha.org/sites/dms/Documents/Yemen%20EWIPA%20report.pdf. See also, http://reliefweb.int/sites/reliefweb.int/files/resources/A_HRC_30_31_AEV.pdf.

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33 Austria, Bahrain, Belgium, Canada, China, Croatia, Czech Republic, Egypt, Finland, France, Germany, Italy, Malta, Netherlands, Norway, Republic of Korea, Russian Federation, Slovakia, Spain, Switzerland, Turkey, United Arab Emirates, United Kingdom, USA. UN Comtrade data does not provide information on the end-user, and it is not known if exports to Saudi Arabia are for use by Saudi Arabian armed forces. Data available at http://comtrade.un.org/data/ (accessed on 22 February 2016).

34 For example, trade data from the Norwegian government suggests that in March 2015, Norway exported to Saudi Arabia parts and components for military weapons valued at US$6,900 (57,960 NOK). In 2014, Norway transferred $338,844 of military equipment to Saudi Arabia. Given the low total exported in March 2015 (before the conflict in Yemen escalated) it is possible that this is part of a previous license that has now expired. Analysis of reporting categories 93-99 (Arms and ammunition and div. products). Other relevant exports may have taken place under other categories. Trade data available at https://www.ssb.no/statistikkbanken/selectvarval/saveselections.asp (accessed 10 February 2016).

35 Data available at http://armstrade.sipri.org/armstrade/page/values.php. The US TIV (Trend-Indicator Value) for Saudi Arabia between 2004 and 2014 was 3,704, the largest of any of the 17 suppliers that featured in SIPRI's dataset (accessed 19 February 2016).

36 These datasets include SIPRI's Arms Transfers Database, the Norwegian Initiative on Small Arms Transfers (NISAT) Small Arms Trade Database, United Nations International Trade Statistics Database (UN Comtrade), and the United Nations Office for Disarmament Affairs (UNODA) UN Register of Conventional Arms.

37 AFP, 'France, Saudi Arabia Announce US$12B in Deals', 24 June 2015, www.defensenews.com/story/defense/international/mideast-africa/2015/06/24/france-to-study-building-nuclear-reactors-in-saudi-arabia/29213887/ (accessed 12 February 2016); IHS Jane's Defence Weekly, 'France says Saudi Arabia to order H145 helicopters', 24 June 2015, www.janes.com/article/52563/france-says-saudi-arabia-to-order-h145-helicopters (accessed 12 February 2016).

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