A “Liberal” Arms Deal? The Canadian Sale of LAVs to Saudi Arabia

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Canada’s Objective and Export Control Requirements:

Introduction

• The Kingdom of Saudi Arabia holds the world’s largest oil reserves, is the world’s leading oil exporter, and has considerable influence on the global economy. Canada has partnered with Saudi Arabia, through its foreign policy, to promote regional and international peace and security with counter-terrorism strategies.
• Saudi Arabia is Canada’s largest two-way trading partner in the Middle East.
• Since 1993, “the Government of Canada has granted export permits to General Dynamics Land Systems Canada (GDLS-C) for the sale of 3,000 armoured light armoured vehicles (LAVs), associated weapon systems, spare parts and technical data to Saudi Arabia.”
• The Liberals approved a renewed version of this deal in April 2016 even though Saudi Arabia had been charged by human rights groups with violations against their Shi’a minority population.

The Question

Although the Conservatives approved it initially, this renewed deal does not fit within the supposedly liberal paradigm of defending human rights. So why then has the Liberal government approved it? Are the Liberals instead operating within a realist paradigm in which state and international security concerns override humanist principles?

Arguments to Support Granting the Permit

1) Do not cause harm to Canada and its allies

• Theory: States are motivated to join alliances to add the power of other states to that of their own. This will help them counter threats they might face in the international system. During negotiations, states serve principally as deterrents and conflict management devices.
• Canada has a long standing defense relationship cemented after the threat of the Iraqi invasion of Kuwait. Canada, USA and Brazil have all contributed to support Saudi Arabia to defend itself against Iran and other proxies.
• Canada’s other allies have also encouraged “Saudi Arabia to acquire the means to defend itself” in an unstable region.
• Saudi Arabia is responding to the regional expansionist threats of Iran and Arabo-China. Support through LAVs help instead of troops if war does break out.
• Logical logic: Canada is not causing harm because it is actually supporting an ally and maintaining an alliance instead.

2. Does not undermine national or international security

• Theory: Liberalism suggests that non-state actors, such as terrorist organizations (i.e. ISIS), could disrupt national and international security because it acts as a direct threat to state sovereignty.
• The Department of Defence states, “Saudi Arabia is a key Western ally in the Middle East and supports international efforts to counter non-state actors such as ISIS in Iraq and Syria as well as counter instability in Yemen.” The acquisition of state-of-the-art armoured vehicles will assist Saudi Arabia in combating instability in the region, a goal which is consistent with Canada’s defence interests in the Middle East.
• This type of dual-use weaponry would not change the relative power balance in the Middle East, but will aid in national defence. So although Canada may be contributing to regional conflict, the threat to national and international security needs to be quelled by state actors versus terrorist organizations.
• So although Canada is contributing to regional conflicts, this is ultimately meant to bolster international security, not undermine it.

3. Does not contribute to national or regional conflicts or instability

The concept of an anarchical international system, powerful states such as Saudi Arabia must keep regional equilibrium and the balance of power, without attributing to the security dilemma.
• Saudi Arabia is a key important and stable ally in a region “marred by instability, terrorism and conflict.”
• Saudi Arabia is the “regional leader in promoting regional security and stability against counteracting threats” through its regional expansion and the growing domestic power threats of ISIS from Iraq and Syria, and countering instability in Yemen and ongoing instabilities in neighbouring Bahrain.
• Although the use of these LAVs does not significantly disrupt power imbalances between Iran and Saudi Arabia, things could change depending on the outcomes of the Yemeni conflict (which would indeed disrupt power imbalances, as Yemen would now be allied to Iran).

Arguments to Support Denying the Permit

1) Do not cause harm to Canada and its allies

• In neglecting to support our allies with goods and equipment, Canada would lose an ally. However, in equipping Saudi Arabia with dual-use weapons and armoured vehicles, Canada could become a target for ISIS and affiliates.
• Canada signed the Arms Trade Treaty (ATT) on April 2, 2013. Signing but not ratifying the Arms Trade Treaty买车 in line with International law, however, against the rules of this treaty can harm Canada’s international reputation.
• This alliance/external balancing could cause harm to Israel, which is an ally of the US, which is a principal ally of Canada.

2. Does not undermine national or international security.

• Supporting and aiding Saudi Arabia with LAVs could potentially make Canada an ISIS target in the future, undermining Canadian national security.
• National and international security can be strengthened “through the proper regulation of the arms trade. With this, human rights should be more comprehensively integrated into the way in which States assess transfers.”

3. Does not contribute to national or regional conflicts or instability

• The conflict has allowed terrorist organizations (ISIS, Al Qaeda) to breed amid a power vacuum created by the conflict especially in parts of Iraq and Syria.
• Due to conflict in Yemen, (proxy war between Iran and Saudi Arabia, Saudi Arabia’s internal civil war) there has been an influx of refugees moving into surrounding states, putting pressure on governments to support non-citizens. This is a threat to human security and therefore can be a contributor to regional instability.

4. Are not used to commit human rights violations

• Canada knows about prevailing human rights issues in Saudi Arabia such as:
  • Reprisal in number of executions
  • Suppression of political opposition
  • Application of corporal punishment
  • Suppression of political freedom of expression
  • Arbitrary arrest
  • Ill-treatment of detainees
  • Limitations on freedom of religion
  • Mistreatment of migrant workers
• The Government of Canada also released a 22 page document. Human Rights report on Saudi Arabia in 2015 recording evidence of human rights violations, as well as advisory reports from NGOs and other international governments.
• Global reputation as a hypocrite makes future efforts on human rights more difficult.
• Saudi Arabia is intentionally targeting civilians and attacking humanitarian organizations through the use of aerial bombardment, indiscriminate shelling, and the use of artillery rockets against civilian areas.
• Engagement in conflict is a sense a human rights violation, therefore, using the vehicles in a conflict would be a human rights violation with LAVs.
• The supplier of the LAVs, General Dynamics, have cutting-edge technologies and “modernize and increase the lethality of the vehicles” regularly.
• Approval of this deal tensions with Canada’s foreign policy priorities as human rights defenders.

Alternative potential explanation

Domestic economic incentives:
• Canadian sales of military goods since 1993 have amounted to $325.2 billion, 90% of these sales are from LAVs.
• General Dynamic Land Systems Canada (GDLS-C), based in London Ont. makes “85% of its revenue from exports” and approval of this deal aids in international investments in Canada and keeps GDLS-C in the “network of suppliers.”
• GDLS-C employs 2,100 Canadians in London Ont.
• From a national defence and trade perspective, exporting LAVs keeps and creates jobs for Canadians in Canada, boosts economy and ensures a “strong viable defence industrial base in Canada” promoting Canada’s defence industry.

Conclusions

Although the Government has found arguments in favor of renewing this deal with Saudi Arabia (it promotes domestic economic incentives, supports a powerful ally in the Middle East without having to send troops, and continues a long term multilateral alliance between world powers in order to expand security, trade and influence), it has not made a convincing argument that the fourth criterion for allowing the sale, that of protecting human rights, was met. Therefore, not only should Canada not have allowed the sale, but by doing so using weak justifications, the Liberal government has damaged its reputation as a human rights defender.

Aftermath

In the news recently there have been talks by Foreign Affairs minister Chrystia Freeland that Canada should ratify the ATT in order to regulate exports to countries that violate human rights. The government is also proposing two amendments to Bill C-47 on export and import acts on licensing weapons.

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The Deal

• The Kingdom of Saudi Arabia made a $15 billion contractual agreement in 2014 under the Harper government. This contract is legally binding and “the Government of Saudi Arabia may sue for damages in the event of breach of contract.”
• The GDLS-C “has never been denied a permit for any export.” Additionally, “Canada has sold thousands of LAVs to Saudi Arabia since the 1990s.”
• The Liberals have renewed an $11 billion deal by issuing export permits over the next four years.
• The permitting consultation process found that the export of LAVs “is consistent with the Government of Canada’s overall foreign policy and objectives for the country and the region concerned.”
• In order to grant an export licence for the sale of arms to a foreign government, several branches of government must “advise that these proposed exports are consistent with Canada’s defence and security interests.”

2. “The Saudi Oil Giant in Canada: From State Sponsorship and Human Rights Prosecutions to Stable Trade.” This Case Study offers a vivid example of exquisite facilitation and the extent of the double standard employed by Canada.