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Hüllinghorst, Yannik; Roll, Stephan

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SWP Comment

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German Arms Exports and the Militarisation of Arab States' Foreign Policies

Yannik Hillinghorst and Stephan Roll

Measured in terms of licenses issued, Arab states will again be among the main recipients of German military equipment exports in 2020. This continues a trend that has been evident since the early 2000s and especially since 2010, all despite Germany's recently extended ban on arms exports to Saudi Arabia. From 2018 to 2020, the value of export licences for the five most important Arab buyer countries has decreased compared to the previous period. However, their share of total export licences is still over 25 percent. In view of regional developments, this is problematic. The foreign policies of the biggest customers have changed in recent years as they become less predictable and more willing to use military means to assert their interests. Military equipment exports could thus contribute to further escalation of the numerous interstate conflicts in the Middle East and North Africa, thereby posing great risks to Germany and the EU. Against the backdrop of Germany and the EU's own export guidelines, it is therefore advised to halt exports of military products to these countries.

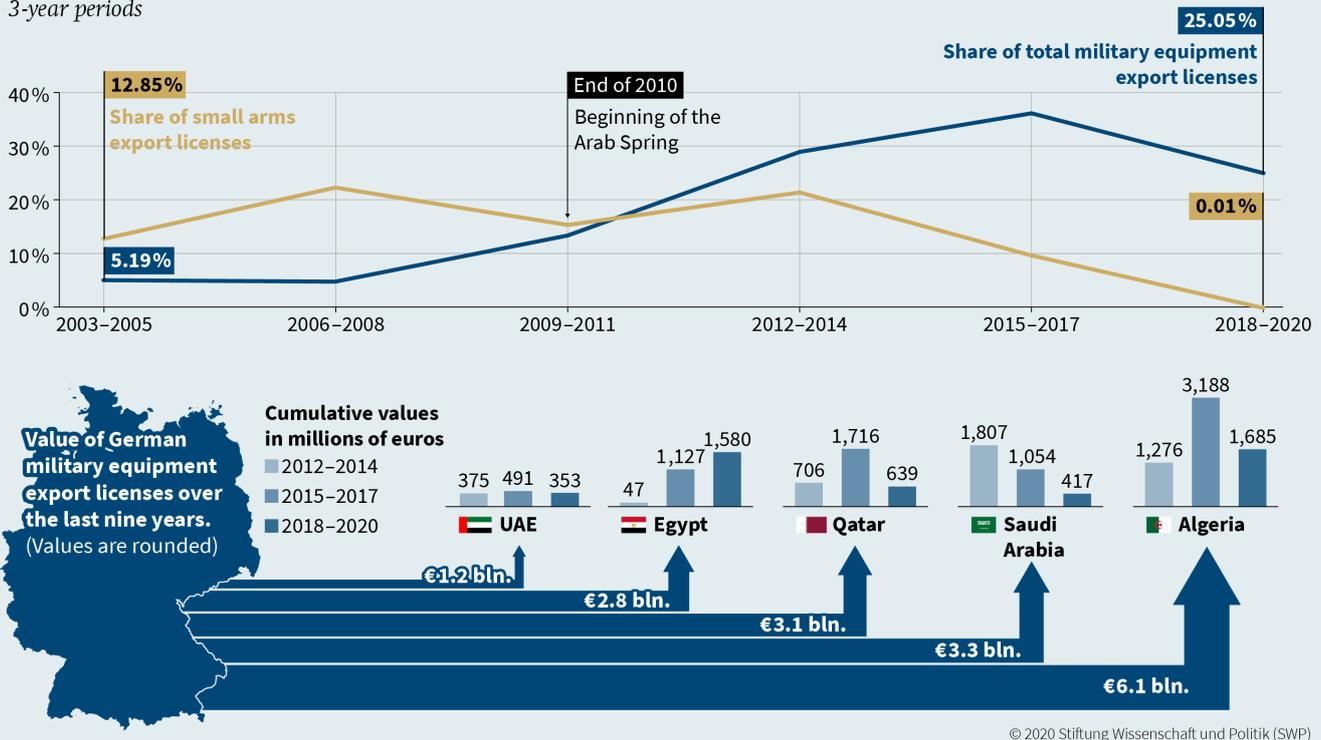
On December 10, the German government announced that it would extend the arms export ban imposed on Saudi Arabia in 2018 by one year. Nevertheless, in 2020, Arab states are again among the main recipients of German military equipment deliveries. Most recently, Germany authorised the export of anti-aircraft cannon tanks to Qatar and patrol boats to Egypt. This continues a trend that began at the start of the millennium and has intensified since 2010 (see diagram, p. 2). Between 2018 and 2020, Egypt, Algeria, Qatar, Saudi Arabia and the United Arab Emirates (UAE) purchased around 4.7 billion euros worth of German military equipment, about one

quarter of the total sold. Among "Third countries", which are neither NATO members nor NATO member equivalents, the share of these five countries accounts for as much as 52 percent of all German sales of military products. Only export licences for small arms have decreased during the last six years significantly. At the same time, German-made goods account for only a fraction of all the arms purchased by these countries. According to the Stockholm International Peace Research Institute (SIPRI), the Middle East is one of the world's largest importers of weapons. Saudi Arabia alone accounted for 12 percent of all global arms imports between 2015 and 2019.



Top five Arab importers' share of German military equipment export licenses

3-year periods



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Changes to the Foreign and Regional Policies of Arab States

These Arab states' rearmament goes hand in hand with changes to their foreign policies. While the Gulf monarchies and Egypt, as dependent allies of the US, closely coordinated foreign policy decisions with Washington up until 2010, they began to break from this course in the wake of the so-called "Arab Spring". Saudi Arabia and the UAE established themselves as "leaders of the counter-revolution", for example, by suppressing the protest movement in Bahrain, supporting the military coup in Egypt and fighting the rise of parties and groups close to the Muslim Brotherhood, which were, in turn, offensively supported by Qatar. Throughout this period, neither side coordinated their respective actions with Washington. In Saudi Arabia's case, the West's rapprochement with Iran in the context of the 2015 nuclear agreement

reinforced this development. Egypt, too, loosened its ties with the US, with which it had maintained a close military partnership since the 1980s. Particularly since the 2013 coup, Egypt has focused on diversifying its foreign relations and shaping its alliance policy more independently. In regional conflicts, Cairo seeks less to close ranks with the US or the EU and instead stands firmly by the side of Riyadh and Abu Dhabi.

Such increasingly proactive foreign policies are accompanied by militarisation, which is expressed not least in the fact that these countries' military means are being used to assert interests more regularly than before. The UAE and Qatar have been supporting militias in Libya since 2011, and since the beginning of the second Libyan civil war in 2014, the UAE has been directly involved in military activities there. Egypt, in turn, has also been involved in this conflict since 2015 at the latest, by granting military aid to the Libyan National Army

(LNA) as well as by launching isolated airstrikes. In the early years of the Syrian civil war, both Saudi Arabia and Qatar supported various rebel groups there, contributing significantly to the escalation of military conflict and the radicalisation of the insurgency. Saudi Arabia also intervened in the Yemeni civil war in 2015, heading a military coalition of friendly states, including the UAE. Initially receiving hesitant support from some Western governments, Saudi Arabia has since become increasingly isolated internationally in the fight against the Iranian-backed Houthi movement, as it is responsible for a high number of casualties among the Yemeni civilian population. In 2017, a military confrontation almost broke out between Saudi Arabia and the UAE on the one side and Qatar on the other. Until the beginning of this year they were locked in a type of cold war, which their recent rapprochement is unlikely to have completely resolved, implying that the arms race between the two sides is expected to continue.

Regional foreign policies threaten to become even more militarised in the future. In view of the unresolved conflict between Egypt and Ethiopia over water from the Nile, there is speculation that Cairo could increase its military involvement within its southern neighbourhood. In order to exert influence in the Horn of Africa, Egypt could try to establish a military base in the region, similar to the UAE, which already maintains bases in Eritrea and the autonomous region of Somaliland. In recent years, Algeria has pursued a policy of strict non-intervention, but in early November 2020 it amended its constitution to allow its military to be deployed externally for – broadly defined – multinational peacekeeping missions. According to some analysts, this could be a first step by Algiers to intervene in the Libyan civil war. At the same time, Algeria's tensions with neighbouring Morocco could increase, especially after the US recognised Rabat's sovereignty over Western Sahara.

Regional Tensions and German Licensing Procedures

Although German politicians criticise the fact that Arab states are increasingly intervening militarily or supporting armed militias, this is not reflected in Berlin's arms export practices. On the contrary: despite the concerned states' increasing willingness to apply military force – even in violation of international law – German authorisations of military equipment exports thereto have remained high since 2011.

Considering the German government's conventions surrounding such exports, this development is remarkable. Here, guidelines for military equipment exports name “regional tensions” as a decisive criterion for exclusion. The same applies to the Common Position of the European Council on arms exports adopted in 2008, which explicitly states that “Member States are determined to prevent the export of military technology and equipment which might be used for [...] international aggression or contribute to regional instability” (Preamble, para. 4). At least in regard to weapons of war, German regulations, which were rewritten in June 2019, are even stricter. Accordingly, arms export licenses should be denied to countries “involved in armed conflict or where such conflict is imminent, where there is a threat of an outbreak of armed conflict, or where existing tensions and conflicts would be triggered, maintained or exacerbated by the export [...], unless a case under Article 51 of the UN Charter applies” (Political Principles of the Federal Government for the Export of War Weapons and Other Military Equipment, Section III, para. 7).

With this in mind, even the potential of escalating conflict should be sufficient reason enough to halt German exports of military equipment. However, these provisions seem to play only a minor role, if any, when it comes to licensing procedures for exports of military products destined for the aforementioned Arab countries. Thus, regional factors are not the reason for the significantly more restrictive approach to

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SWP
Stiftung Wissenschaft und Politik
German Institute for International and Security Affairs

Ludwigkirchplatz 3 – 4
10719 Berlin
Telephone +49 30 880 07-0
Fax +49 30 880 07-100
www.swp-berlin.org
swp@swp-berlin.org

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licensing practices of small arms exports. Rather, such exports have generally been severely restricted in recent years. According to the Principles on Small Arms issued in 2015, the main reason for this was that their proliferation is difficult to control. Moreover, even temporary halts on arms exports have been justified not due to concerns about regional instability, but due to poor human rights records in importing countries. This was the case in 2013 with Egypt, when civilian massacres occurred in the wake of the military coup, and in 2018 with Saudi Arabia, after dissident Jamal Khashoggi was murdered by a state hit-squad. The fact that patrol boats originally intended for Saudi Arabia are now being delivered to Egypt, a country with a similarly problematic human rights record, also demonstrates a certain inconsistency in the application of Germany's export principles.

Implications for German Export Policy

In view of regional developments, the German government should fundamentally review its military equipment export policy toward Arab states. So far, it has only given vague indications of its political calculations in individual cases, for example in connection with exports to the Gulf States, which were occasionally justified by the threat posed by Iran. Corresponding arguments on the topic of arms exports have also come from the academic community in the past. According to some, the targeted armament of individual states is intended to create a deterrent effect that could ultimately contribute to greater regional stability. Another argument is that arms exports can be used to strengthen bilateral relations with the importing country, thus opening the door to greater foreign policy influence. However, neither of these arguments have been sufficiently empirically substantiated and are therefore regarded as

highly controversial today. Such assessments also largely ignore the fact that individual recipients of German exports are enemies of one another — as became clear in the case of the Qatar blockade — or that military equipment is not only used defensively but also offensively in extraterritorial regional conflicts.

It cannot be ruled out that German weapons and military products fuel armed conflicts in the region and thus contribute to the destabilisation of Europe's immediate neighbourhood. The probability of this occurring is even higher in view of the foreign policy changes among the main importing countries described above. Apart from the fact that exports of military equipment to countries involved in armed conflicts are hardly compatible with Germany's own export principles, it is in Germany's fundamental interest to prevent such a development. After all, the deaths of numerous civilians in the Middle East and renewed displacement of refugees to Europe would not be the least of the consequences. The extension of the export ban on Saudi Arabia should therefore be taken as an opportunity to fundamentally rethink the licensing policy toward the other Arab states at hand. Halting the export of military equipment and especially weapons of war to these countries seems to be the logical consequence in view of regional developments.

*Yannik Hüllinghorst was an Intern in the Middle East and Africa Research Division at SWP.
Dr Stephan Roll is Head of the Middle East and Africa Research Division at SWP.*