

<b>Institution:</b> University of Sussex		
<b>Unit of Assessment:</b> 19 – Politics and International Studies		
<b>Title of case study:</b> Holding the UK government to account over arms export policy		
<b>Period when the underpinning research was undertaken:</b> 2006 – 2020		
<b>Details of staff conducting the underpinning research from the submitting unit:</b>		
<b>Name(s):</b> Anna Stavrianakis	<b>Role:</b> Professor of International Relations	<b>Period(s) employed by submitting HEI:</b> 09/06 – current
<b>Period when the claimed impact occurred:</b> 2016 – 2020		
<b>Is this case study continued from a case study submitted in 2014?</b> N		
<b>1. Summary of the impact</b>		
<p>Stavrianakis' research examines the under-scrutinised and often secretive policy and practices of UK arms exports using a range of methods, including unprecedented applications of UK Freedom of Information (FOI) law to this policy area. Her research has had impact in two principal areas: 1) exposing the operation of unlawful export policy and practice, through FOI requests and media commentary; and 2) supporting key beneficiary groups – including: UK Parliamentary Select Committees and other MPs; NGOs and campaign groups; and members of the Opposition and Shadow Cabinet – to hold the UK government to account and advocate for proper implementation and enforcement of the UK's foreign policy and legal obligations.</p>		
<b>2. Underpinning research</b>		
<p>The impact documented here emanates from Stavrianakis' research into UK arms export policy, in particular towards Saudi Arabia during the war in Yemen since 2015, and the negotiation and implementation of the UN Arms Trade Treaty. Conducting this research has involved interviews with civil servants from across the different UK government departments responsible for arms export licensing and MPs engaged in scrutinising government policy; participant observation work during parliamentary inquiries; participant observation and interview work with NGOs active on the arms trade such as Amnesty International, Campaign Against Arms Trade, the Control Arms coalition, Oxfam, and Saferworld; Freedom of Information requests; and documentary analysis. Some of the research has been funded by the ESRC and HEIF and through consultancy work. The key research findings are:</p>		
<p><b>Reckless, not robust:</b> Stavrianakis' analysis of UK arms export policy towards Saudi Arabia demonstrates that the UK government is failing to implement its publicly-stated policy and legal obligations that restrict arms exports where there is a clear risk that they might be used in a violation of international humanitarian law, and is instead primarily concerned with managing domestic criticism and maintaining good relations with the Saudi government [3.1, 3.2, 3.4]. The research uncovered similar patterns in UK policy towards the wider Middle East and North Africa, for example in relation to Egypt during the Arab Spring [3.3]. Through active strategies of creating doubt and ambiguity about the risks of arms exports, the UK government demonstrates an unwillingness to pay adequate attention to potential civilian harm, and an indifference to the consequences of its policy, continuing to issue export licences despite overwhelming evidence of the misuse of weapons in Yemen. Thus UK arms export policy is better characterised as reckless rather than robust [3.4]. The research found the UK licensing process to be characterised by ritualized activity that functions to create the appearance of control and an image of benevolence and restraint, rather than to meaningfully restrict arms exports [3.5].</p>		
<p><b>Legitimation, not restriction:</b> The UK is one of the world's largest arms exporters and a supporter of states that abuse human rights and violate international humanitarian law such as Saudi Arabia. Simultaneously, the UK has also been a key champion of the UN Arms Trade Treaty, both during its negotiation and as a State Party [3.3]. The UK thus claims to promote the highest standards of international regulation whilst it regularly authorises exports that violate those standards. International arms transfer control regimes such as the Arms Trade Treaty primarily serve a legitimising function to buttress the UK's (and other liberal states') international reputation rather than to impose any meaningful restrictions [3.3]. Critical analysis of such regulatory regimes demonstrates the transformation and resurgence of a variety of forms of militarism around the world [3.6] and the ways in which the UK government is using risk assessment in ways that allow them to remain ignorant about violations of international</p>		

humanitarian law. In other words, the UK government is mobilising risk assessment to facilitate rather than prevent harm [3.4].

Exposing the state's strategies is not only important in itself, but also for recasting future policy. Stavrianakis' research exposes the fundamental causes - in UK bureaucratic and governmental practice - of the reckless flow of UK arms that has exacerbated key civilian harms in the Yemen conflict since 2015, and particularly in Yemen's air war [3.4]. Stavrianakis' findings also cast doubt on the UK government's compliance with obligations under domestic law and the UN Arms Trade Treaty to assess the risks of the misuse of UK-supplied weapons [3.3].

### 3. References to the research

[3.1] Stavrianakis, A. "Playing with words while Yemen burns. Managing criticism of UK arms exports to Saudi Arabia," *Global Policy*, 2017, 8(4): 563-568 <https://doi.org/10.1111/1758-5899.12484>

[3.2] Stavrianakis, A. "When 'anxious scrutiny' of arms exports facilitates humanitarian disaster," *Political Quarterly*, 2018, 89(1): 92-99 <https://doi.org/10.1111/1467-923X.12435>

[3.3] Stavrianakis, A. "Legitimising Liberal Militarism. Politics, Law and War in the UN Arms Trade Treaty," *Third World Quarterly*, 2016, 37(5), pp. 840-865 <https://doi.org/10.1080/01436597.2015.1113867>

[3.4] Stavrianakis, A. "Requiem for Risk: Non-knowledge and domination in the governance of weapons circulation," *International Political Sociology*, 2020, 14(3), pp. 233-251 <https://doi.org/10.1093/ips/olz030>

[3.5] Stavrianakis, A. "Licensed to Kill: Arms export licensing in the United Kingdom", *Economics of Peace and Security Journal*, 2008, 3(1), pp. 32-39 <http://dx.doi.org/10.15355/epsj.3.1.32>

[3.6] Stavrianakis, A. "Controlling weapons circulation in a postcolonial militarised world," *Review of International Studies*, 2019, 45(1): 57-76 <https://doi.org/10.1017/S0260210518000190>

### 4. Details of the impact

#### 1) Exposing the operation of unlawful arms export policy through FOI requests and media commentary

Over the course of twenty months from September 2017, Stavrianakis pursued the release of information from the Foreign and Commonwealth Office (FCO) under the Freedom of Information Act, regarding the grounds on which arms export licences to Saudi Arabia were referred to ministers and approved. After three complaints to the Information Commissioner about the FCO's handling of the request, Stavrianakis secured the release of new information into the public domain in May 2019 that revealed that the Foreign Secretary was content to issue licences for arms exports to Saudi Arabia despite ongoing attacks on civilians [5.1a]. The release of information is itself an unusual victory and generated criticism of the FCO's behaviour: the Information Commissioner was critical of the FCO for seeking to "frustrate a requester's right of access [to] information," expressing the hope that "such delays ... are not repeated by the FCO in future" [5.1b]. Through collaboration with Campaign Against Arms Trade, Stavrianakis secured media coverage to publicise the findings and document the unlawful operation of UK arms export policy. The FOI information was used as the basis for news stories in *The Guardian* (shared 9,517 times on Facebook to date and with the potential to reach 111,155 readers in hard copy and 14.62 million viewers online based on *The Guardian's* UVP) and *The Independent* on 11 June 2019 that were critical of UK support for Saudi Arabia despite growing evidence of unlawful civilian harm, and repeated in later coverage as the war in Yemen progressed [5.2, M1-3].

Since 2016 Stavrianakis has engaged in scrutiny in the public domain, including the front page of the online edition of *The Independent*, comment pieces for *The Guardian* that have been shared hundreds of times on social media, and an interview with the BBC World Service, the latter with potential reach of 97 million listeners [5.2, M4-8], mobilising the arguments from her research [3.1; 3.2; 3.3; 3.4] to explain why the way in which Whitehall and ministers make decisions about arms exports licences to Saudi Arabia contravenes the UK government's legal obligations around international humanitarian law. Her research has also been picked up by the UN, whose Office for Disarmament Affairs included her work in its "Disarmament Digest" of December 2018, and by Crisis Action, a global NGO coalition, in its "Must-Reads" list of February 2019 [5.3, 5.4].

On 20 June 2019 the Court of Appeal found that UK arms sales to Saudi Arabia are unlawful. Stavrianakis engaged in extensive media work relating to her research [3.4] to explain the significance and implications of the ruling, including serving as the main commentator on BBC Radio 4 *The World at One* – which has on average 1.4 million daily listeners - on the day of the ruling. She also wrote comment pieces for *The Guardian* and other media outlets that were shared hundreds of times on social media and was quoted in a news story in *The Guardian* that has been shared 11,055 times on Facebook [5.2, M9-14]. Her media work drew the attention of a barrister engaged in legal action for criminal acts committed in Yemen and a London-based communications agency, Revolt, both of whom approached her for further information and advice [5.5]. Her media commentary was reproduced by specialist organisations such as Scientists for Global Responsibility and the Yemen Safe Passage Group to educate their members and audiences about arms exports, with the former ‘liked’ 1.5K times [5.6a-c]. In July 2020 the UK government concluded that potential breaches of international law by the Saudi-led coalition amounted to isolated incidents and that it would resume arms licensing. Stavrianakis responded publicly by explaining the political and legal manoeuvring required to reach such a decision, in a comment piece shared 350 times on social media and with a potential reach of up to 477,000 viewers online (based on *Middle East Eye’s* UVPM) [5.2, M15].

In August 2019 Stavrianakis brokered the exposure in *The Guardian* that weapons components made in Brighton were found at the site of air strikes in Yemen deemed by the UN to violate international law. A Brighton activist had discovered the evidence in a UN report and secured local media coverage in July, including a quotation from Stavrianakis. Stavrianakis then persuaded *The Guardian* of the merit of the story and secured its publication in the national press, again providing a quote for the article based on her research demonstrating the hollowness of the UK government’s commitment to international law [3.3; 3.4] (print and online – see *The Guardian’s* UVPM, above); it has also been shared 830 times to date on Facebook [5.2, M16-M18]. The local and national coverage was picked up by activist organisations such as War Resisters International and the publicity around the case prompted 33 local councillors and a local MP to write to Defence Secretary Ben Wallace calling for an investigation into the incident and the suspension of licences for the local company [5.7].

## **2) Working with key beneficiary groups to hold government to account and advocate for implementation of UK obligations**

Stavrianakis worked actively with three key beneficiary groups to mobilise her research findings, to publicly demonstrate the flaws in the UK government’s implementation of its legal obligations, hold the UK government to account, and advocate for proper implementation of the UK’s legal obligations.

### **(i) The Parliamentary Committees on Arms Export Controls (CAEC)**

The CAEC - made up of MPs from the Defence, Foreign Affairs, International Development (until the merger of DfID into the FCO) and International Trade Committees – is the key formal means of parliamentary scrutiny and democratic accountability for arms exports in the UK political system. Arms export policy is one of the most secretive and intractable areas of public policy, with extensive government and industry efforts to manage transparency and minimise accountability. Stavrianakis has had impact by resourcing and enabling the scrutiny of MPs in favour of arms control and generating resistance from pro-export MPs across three Committee inquiries.

Stavrianakis submitted written evidence based on her research [3.1] to the “Inquiry into the use of UK-manufactured weapons in Yemen” following the CAEC’s call for submissions in 2016 and was subsequently invited to give oral evidence [5.8, P1]. Hers was one of two written submissions from academics and the only one that was critical of government policy. Stavrianakis was the only academic to give oral evidence [5.8, P2, 5.9]. The inquiry, chaired by Chris White MP, became controversial because of a split in the CAEC as to whether they should recommend a suspension of arms exports to the Saudi-led coalition or not. The Committees’ initial draft report was leaked to *Newsnight* and the CAEC broke down. Two rival reports were published by different constituent Committees of the CAEC: one by the International Development and Business Committees; the other by the Foreign Affairs Committee. Stavrianakis’ evidence is quoted in both reports (e.g. noting her evidence that the government

had speeded up its licensing process, and that the government is preventing scrutiny of its practices); her conclusion in favour of a suspension of arms exports is taken up in the former report but excluded in the latter [5.8, P3]. The Chair of the CAEC found her to be “well-briefed and comprehensive and fair in your evidence to the Committee, adding an important academic perspective” [5.9].

Stavrianakis submitted written evidence to another CAEC inquiry, its “Inquiry into UK arms exports during 2016” and was invited to give oral evidence [5.8, P4]. She was one of two academics to submit written evidence and the only one to focus on UK export policy: the subject of her research [3.2, 3.5]. She was one of three academics who gave oral evidence and the only one to say anything critical of UK policy, based on her evidence of failures of the UK licensing system [5.8, P5]. This inquiry was chaired by a new Chair of the CAEC, Graham Jones MP. During oral evidence, on three occasions the pro-Saudi and pro-export Chair sought to undermine Stavrianakis’ evidence by making verbal interventions contesting her evidence beyond the normal probing of witnesses, for example about the judicial review, on which Stavrianakis was later proved correct when the Court of Appeal found against the government [5.8, P6].

Stavrianakis was the only academic to submit written evidence to the “2017 Arms Exports Annual Report Inquiry”, arguing on the basis of her research [3.1; 3.2; 3.4] that the UK’s application of its arms export criteria with regard to Saudi Arabia indicates that UK policy is reckless, not robust [5.8, P7]. The issue of arms exports to Saudi Arabia was excluded from the inquiry’s agenda, despite Saudi Arabia accounting for almost half of UK arms exports. Critical voices, including those of Stavrianakis, were excluded from giving oral evidence to the Committees [5.8, P8, 5.10]. The exclusion of Stavrianakis was cited as a reason for the withdrawal of Corruption Watch, an NGO critical of the government, from giving evidence to Parliament [5.10].

Given the repeated failure of the CAEC to scrutinise arms export policy towards the Saudi-led coalition, Stavrianakis published an op-ed piece in *The Guardian* to publicise the accountability gap [5.2, M19] and worked with pro-arms control MPs led by Lloyd Russell-Moyle MP alongside civil society actors to set up and participate in a “Citizens’ Committee on the Arms Trade” on 22 May 2019. This was a public event held in Parliament directly after a CAEC evidence session and featured Stavrianakis alongside five other experts; Stavrianakis’ intervention focused on her research into the failures of UK controls and inadequacy of parliamentary scrutiny [3.2; 3.4; 3.5]. The session, attended by approx. 100 civil society activists and members of the public, voted informally to suspend arms sales to Saudi Arabia and was broadcast on *Al Jazeera Arabic* TV and picked up in the UK press in stories in *The Guardian* and *The Independent* that include interviews and quotes with Stavrianakis, and also shared hundreds of times on Facebook (see *The Guardian’s* UVPM, above) [5.2, M20-M22].

#### **(ii) NGOs and campaign/activist groups**

Stavrianakis’ work amplifies oppositional civil society voices such as Campaign Against Arms Trade (CAAT) who are regularly excluded from giving evidence to CAEC, or not quoted in CAEC reports. She has worked with CAAT for over fifteen years, served on their Steering Committee (2005-9) and currently serves as a Trustee for the Trust for Research and Education on the Arms Trade (TREAT), a grant-making charity that supports CAAT’s work [5.11a]. CAAT has used Stavrianakis’ research into the legitimising function of arms transfer controls as an educational and campaigning tool to inform and engage supporters [5.11b]. CAAT’s Parliamentary Coordinator attests that Stavrianakis has made an “exceptionally useful contribution to the debate around arms exports” [5.12], and describes her oral and written evidence to CAEC as “invaluable in getting parliamentarians engaged in considering the issue” [5.12]. In relation to the judicial review, Stavrianakis worked with the CAAT Press Officer as part of their media strategy, providing quotes calling for a suspension of arms exports to Saudi Arabia so they could mobilise her expertise based on her research. CAAT put journalists in touch with her, and her media work has supported CAAT’s strategy by bringing its judicial review of UK arms export policy to a wider public audience [5.2, M23-M24].

Stavrianakis also supports the work of other NGOs that are invited to Parliament, such as Saferworld, Amnesty International and Oxfam, by creating space for more robust criticism of UK

government policy than they can make publicly. For example, during a CAEC evidence session, Committee members asked NGOs to respond to the conclusion of Stavrianakis' research [3.1; 3.2; 3.4] that UK policy is "reckless, not robust", which they were able to agree with even though as humanitarian and peacebuilding organisations operating in Yemen itself they could not make such a strong or explicit statement themselves [5.8, P9].

### (iii) The Opposition and Shadow Cabinet

Since 2016 Stavrianakis has provided research briefings based on her research [3.1-3.6] to inform Labour Party policy on arms exports and push the party to develop restrictive, anti-militarist alternatives to the UK government's arms export policy. She provided a written contribution to the Shadow Defence Review and briefed Shadow Defence Secretary Emily Thornberry MP on it in May 2016; and in March 2018 she provided a written briefing to the Shadow Cabinet [5.13a]. Members of the Shadow Cabinet, in particular Emily Thornberry as Shadow Foreign Secretary, and Labour Party MPs Stephen Twigg, Stephen Doughty and Lloyd Russell-Moyle (all involved in the CAEC), have made public calls for a suspension of arms sales to Saudi Arabia and an independent international investigation, echoing Stavrianakis' public (media) and private (briefings) interventions [5.13b]. These interventions led to [text removed for publication] [5.13c]. Stavrianakis' recommendations around parliamentary scrutiny were included in a speech delivered by Jeremy Corbyn in York on 1 December 2019 in which he pledged to "increase oversight of arms exports to ensure we're not fuelling conflicts" as well as to "stop arms sales to Saudi Arabia for use in Yemen" [5.13d].

### 5. Sources to corroborate the impact

[5.1a] Release of information: FCO information for release, FOI 0890-017, pdf

[5.1b] Criticism of FCO: ICO Decision notice 23/4/19; Institute for Government, "Percentage of FOI requests granted in full, by department", pdf

[5.2] Media report: Entries M1-M24, with urls and circulation figures, pdf.

[5.3] Media work picked up by UN Office for Disarmament Affairs "Disarmament Digest", pdf

[5.4] Media work picked up by Crisis Action "Yemen Media Review", pdf

[5.5] Email correspondence, pdf

[5.6a] Media work reproduced by Yemen Safe Passage Group [text removed for publication]

[5.6b] Yemen Safe Passage Group Update (11/2/20), pdf

[5.6c]; Scientists for Global Responsibility website, <https://www.sgr.org.uk/resources/holding-uk-account-its-role-war-yemen> - 'liked' 1.5K times

[5.7] Letter from councillors: <https://www.brighton-hove.gov.uk/news/2019/councillors-call-clampdown-brighton-arms-manufacturer>

[5.8] Summary report of written and oral evidence submitted and presented by Stavrianakis to UK Parliamentary Committees 2016-2019, Entries, with urls, P1-P9, pdf

[5.9] Testimonial from Chris White MP, Chair of CAEC, pdf

[5.10] Letter from Corruption Watch to CAEC, pdf

[5.11a] TREAT trustee: <https://www.treat-research.org.uk/>

[5.11b] Educational & campaigning tool: *The Façade of Arms Export Control*, CAAT Goodwin Paper #6, 02/08 <https://www.caat.org.uk/resources/publications/government/facade-2008-02.pdf>

[5.12] Testimonial from Ann Feltham, CAAT Parliamentary Coordinator, pdf

[5.13a] Briefings for Shadow Defence Review, Shadow Cabinet, pdf

[5.13b] Shadow Cabinet and Labour MPs: Emily Thornberry MP, Stephen Twigg MP, Stephen Doughty MP, Lloyd Russell-Moyle MP statements in Parliament e.g.

<https://hansard.parliament.uk/Commons/2018-09-11/debates/80DF7C45-8C6C-4D16-80C7-109E190E4D53/Yemen> (11/9/18)

[5.13c] [text removed for publication]

[5.13d] [text removed for publication]; Jeremy Corbyn York speech 1/12/19,

<https://labour.org.uk/press/full-text-of-jeremy-corbyns-speech-in-york/>