



# Playing with matches? **UK security assistance and its conflict risks**

October 2021

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## **UK security assistance and its conflict risks**

**Lewis Brooks**

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**Cover photo: British soldiers instruct Kurdish Peshmerga fighters during training at a shooting range in Arbil, in Iraq's northern autonomous Kurdistan region, 16 October 2014.**

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## List of acronyms

<b>AMISOM</b>	African Union Mission in Somalia
<b>AU</b>	African Union
<b>CSSF</b>	Conflict, Stability and Security Fund
<b>CTU</b>	Counter Terror Unit (Yemen)
<b>DFID</b>	Department for International Development (UK)
<b>EU</b>	European Union
<b>EUTM</b>	European Union Training Mission (in Mali)
<b>FCO</b>	Foreign and Commonwealth Office (UK)
<b>FCDO</b>	Foreign Commonwealth and Development Office (UK)
<b>ICAI</b>	Independent Commission for Aid Impact
<b>IHL</b>	international humanitarian law
<b>JACS</b>	Joint Analysis of Conflict and Security
<b>JSP 1325</b>	Joint Services Publication 1325 (on Human Security in Military Operations)
<b>IED</b>	improvised explosive device
<b>KDF</b>	Kenya Defence Forces
<b>MEL</b>	Monitoring, evaluation and learning
<b>MINUSMA</b>	United Nations Multidimensional Integrated Stabilization Mission in Mali
<b>MOD</b>	Ministry of Defence (UK)
<b>MODSAP</b>	Ministry of Defence Saudi Armed Forces Projects
<b>NAO</b>	National Audit Office (UK)
<b>NATO</b>	The North Atlantic Treaty Organisation
<b>OECD DAC</b>	Organisation for Economic Co-operation and Development – Development Assistance Committee
<b>OSJA</b>	Overseas Security and Justice Assessments
<b>RRU</b>	Rapid Response Unit (Somaliland)
<b>SANGCOM</b>	Saudi Arabia National Guard Communications Project
<b>UK</b>	United Kingdom
<b>UN</b>	United Nations

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Working with the United Nations to deliver training – The UK recognises the commitment of the Malawi Defence Forces (MDF) who have been undergoing training ahead of deployment to the Democratic Republic of Congo (DRC) to maintain peace & protect civilians under MONUSCO.

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# Executive summary

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**Across Eastern Europe, Africa, Asia and the Middle East, the United Kingdom (UK) is training and equipping partner security forces operating in fragile and conflict-affected countries. Building the capacity of security forces that may have a history of human rights abuses is fraught with risk – in particular, that of exacerbating or failing to address the tensions and grievances driving conflict. This paper explores the nature of UK assistance and whether it is effectively managing these risks in support of conflict prevention and human rights.**

Security assistance, including by the UK, could be defined to involve a whole range of activities, including different forms of mentoring and joint exercises. Within this spectrum of activities, training and equipping partner security forces makes up a considerable part of the UK's approach to stabilisation. UK training missions involve British military personnel, police and contractors travelling to compounds, bases and rural camp sites to deliver training in anything from infantry tactics and intelligence gathering to medical support and evacuation. Small quantities of vehicles, body armour and counter-improvised-explosive equipment, along with, in rare cases, guns and ammunition, are gifted to partner security forces. Considerably more significant in scale and value are the billions of pounds in commercially sold military equipment, weapons systems, components and ammunition that leave UK ports and airfields every year.

UK security assistance can be controversial when it is provided to security forces implicated in behaviour that is authoritarian or that fuels conflict, or to environments where human rights are under threat. The danger is that UK security assistance could help entrench authoritarianism or worsen such behaviour. In 2020, the #EndSARS protests in response to human rights violations by police in Nigeria, and the UK's admission that it had trained Special Anti-Robbery Squad (SARS) officers, catapulted some of the risks associated with security assistance into the public consciousness. UK supplies of policing equipment to security forces involved in crackdowns on peaceful protests in Hong Kong and the USA also prompted public scrutiny. The UK approach of training and equipping partner forces, and the risks and scrutiny that come with it, are set to continue. The Ministry of Defence's 2020 Command Paper 'Defence in A Competitive Age' commits the UK to a 'persistent engagement strategy', reiterated in the Integrated Review of Security, Defence, Development and Foreign Policy and the military's Integrated Operating Concept to include: 'Building partner capacity through train, advise and assist operations [which] strengthens coalitions, enhances regional security and provides an alternative to the offers of our adversaries, by securing influence and denying it to them.'<sup>1</sup>

This paper identifies seven risks associated with the UK's delivery of security assistance to forces involved in fragile and conflict-affected states:

### Risks to peace and rights posed by security assistance recipients:

Risk 1: That assisted forces commit human rights and international humanitarian law (IHL) violations.

Risk 2: That security assistance emboldens or legitimises authoritarian and abusive behaviour by recipient states or groups.

Risk 3: That assisted forces pursue agendas at odds with UK interests.

### Risks to peace and security posed by third parties affected by UK security assistance:

Risk 4: That equipment gifted or sold could be diverted to parties other than the intended recipient.

Risk 5: That provision of assistance may appear threatening to and trigger retaliatory measures by third parties.

### Risks to UK security assistance policy-making:

Risk 6: That security assistance partners distort UK policy-making and the effective pursuit of UK interests.

Risk 7: That commercial arms sales feed into bribery and corruption in the UK and overseas.

These risks are not new, and the UK has developed a range of strategies and tools to craft security assistance to meet UK objectives and mitigate some of the risks associated with using it. National security strategies set UK objectives for addressing security challenges. Depending on whether training or equipment is being provided, a range of analysis processes may then assess the political dynamics, conflict and gender sensitivity, human rights and international humanitarian law concerns, and adherence to sanctions regimes.

The paper outlines these different decision-making processes. It identifies five areas where the UK needs to strengthen its management of the risks to peace and rights:

**Area 1: Misdiagnosing the problem and reaching for the wrong tools**, including by focusing on short-term activities and not facing up to the requirement for more strategic and transformative engagement with conflict, governance, human rights and gender inequality challenges.

**Area 2: Holes in the design of existing measures**, including failure to fully assess risks to governance, consult with conflict-affected populations and effectively measure impact.

**Area 3: Inconsistencies in the implementation of existing measures**, including communication between different parts of government.

**Area 4: Deliberate gaps in decision-making processes, allowing destructive trade-offs** in favour of 'national security' and 'commercial interests' at the expense of preventing abuses or tackling instability.

**Area 5: Transparency** is improving but scrutiny remains inadequate, despite some positive government commitments.

The report argues that UK security assistance to security forces in conflict-affected contexts can be compared to using matches or flammable fuel. In the right hands, in the right context, and framed within a civilian-led long-term political strategy for peace security assistance can be a helpful tool to address particular needs. However, if deployed in a volatile environment and not handled carefully, with clear planning and safeguards, then there is a clear

potential for starting or fuelling a conflagration. This report argues that, despite improvements in recent years, the UK must better manage these risks.

## Recommendations to the UK government

### ■ Contribute to addressing the issues driving conflict, including improving governance:

The UK's approaches to preventing conflict and supporting peacebuilding overseas need to be guided by clear objectives, theories of change and robust monitoring and evaluation that is open to oversight. The framing and analysis of crisis contexts and security threats must be comprehensive and consider, *inter alia*: the root causes and issues driving conflict and tension as described by a broad range of people living in the context; the current and historical roles played by different people, organisations and institutions (including civil society, social and political movements, violent armed groups, and the governments and security forces with whom the UK is partnering) and a political economy analysis of how their power and influence is distributed and (ab)used; the different impacts of the conflict (and conflict prevention interventions) on women, men, girls and boys; a realistic and frank assessment of the likely impact of increasing the operational capacity of partner security forces as a particular actor in a broader conflict context. Where UK security assistance is used, it should contribute to addressing the drivers of conflict – including improving state–society relations and governance. At the very least, it should be conflict- and gender-sensitive, with continuous assessment and adaptation as circumstances change.

### ■ Improve the consistency and quality of decision-making:

The UK's efforts to join up and increase the consistency and quality of analysis, decision-making and the application of risk assessment measures affecting security assistance practice should continue. In cases where there is a clear risk of breaches of the Consolidated EU and National Arms Export Licensing Criteria ('the Consolidated Criteria'), the UK must not authorise arms sales. This includes refusing any further arms export licence applications for the export of equipment to Saudi Arabia for use in Yemen and halting deliveries of previously authorised transfers and ongoing support services. A rigorous approach should be applied across the board; examples of other circumstances where existing practice may be too lenient include a range of licences for sniper rifles and assistance to Egypt. Particularly post-Brexit, the government needs to ensure there are clear protocols for sharing information with European and other partner governments in real-time about

denials of arms export and brokering licences, and acting on concerns raised by these partners.

### ■ Assess the political impacts and consult those affected by interventions:

The UK must make greater efforts to assess the impact of UK security assistance on the politics and governance of recipient countries in processes such as Overseas Security and Justice Assessments (OSJA), as well as broader continuous conflict sensitivity planning. Could recipient authorities or local populations view assistance as a tacit blessing or encouragement of problematic behaviours? Could third parties feel threatened or be provoked by UK assistance? To improve analysis and decision-making, all departments should ensure that communities and civil society affected by conflict and working on peace and rights are consulted in conflict analysis, strategy development, and in the design, monitoring, evaluation and learning phases of security assistance programmes. Guidance for Joint Analysis of Conflict and Security (JACS), OSJAs and other processes should be amended to take these points into account.

### ■ Consider alternative approaches: Having assessed the political risks of potential UK security assistance, consulted more thoroughly with affected communities and developed strategies focused on addressing the root causes of conflict, in many contexts deciding against using security assistance may be a more appropriate option for the UK.

The UK should be more prepared to avoid or halt security assistance and place greater emphasis on alternative approaches, including security sector reform that reinforces accountability and responsible security provision; promoting civilian, judicial and parliamentary oversight of the security sector; rights promotion; and wider peacebuilding and conflict-prevention efforts, such as community security programming, dispute resolution and dialogue.

### ■ Improve transparency accountability and learning:

The UK can also make improvements to transparency, while maintaining necessary security considerations without compromising on security. Public versions of country and thematic national security strategies should be published. Greater details of cross-regional security assistance programmes should be released. Parliamentary oversight of the strategic use of special forces should be improved. Where trade-offs between options for UK actions with higher risks are unavoidable, there should be greater guidance given to officials on how to make decisions, as well as proper record-keeping, regular review of these decisions, and appropriate public and parliamentary scrutiny. As mentioned above, learning can be improved with external engagement with experts and affected communities.

## Questions for scrutinising UK security assistance

This paper highlights several risks with UK security assistance; however, in each case the nature of these risks will vary. To understand them – and whether the UK is effectively mitigating them – researchers, parliamentarians, journalists and non-governmental organisations (NGOs) seeking to scrutinise such activities need answers to the following questions:

- Conflict analysis
  - When: When was the last conflict analysis undertaken?
  - Who: Did it engage communities and civil society from the recipient country? Did it analyse gender aspects and gender norms?
  - What: What are the UK's objectives in the country or thematic national security strategy in question? Is the UK aiming to promote peace, gender equality, human rights and development? How will security assistance contribute to/undermine these?
- Overseas Security and Justice Assessments (OSJA)
  - When: When was an OSJA last made?
  - Who: Did it engage communities and civil society from the recipient country?
  - What: Have the potential political and governance risks within the recipient or affected societies been assessed? What human rights mitigation steps have been taken? Have alternative approaches, such as security sector reform, promoting civilian oversight or peacebuilding, been considered?
- Post-assistance
  - How: How was the impact of the security assistance assessed and monitored?
  - How: Has security assistance contributed to or left groundwork for longer-term and sustainable peace and security?
  - Who: Were communities, civil society, women, youth and other disadvantaged groups from environments where partner forces are deployed consulted?
  - What: What worked and what did not work and how has this been communicated to other stakeholders?
  - When: Why did the security assistance end? If there have been allegations of wrongdoing by trained units or increased risks, was security assistance halted? If not, why and what other adaptations were made?
- For arms (in addition to specific questions on the context)
  - What: Were recommendations to reject licences made by any department at any stage of the licence application?
  - Why: If so, what were the reasons, have they been overruled and, if so, why?
  - Who: Were Foreign Commonwealth and Development Office (FCDO) conflict or human rights advisers at post consulted in the licensing process?

## Notes

- 1 Ministry of Defence (2020), 'Introducing the Integrated Operating Concept', 30 September, p 12 (<https://www.gov.uk/government/publications/the-integrated-operating-concept-2025#:~:text=The%20Integrated%20Operating%20Concept%202025%20sets%20out%20a%20new%20approach,military%20thought%20in%20several%20generations>)



A British Army Paratrooper (R)  
instructs Kenyan rangers during  
a training course against  
poaching and logging near  
Nanyuki town, some 200 km  
(124 miles) north of the capital  
Nairobi, 5 December 2013.

© REUTERS/Andreea Campeanu

# 1

## Introduction

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**On 14 December 2018, security forces in Somalia violently clashed with protestors gathered in Baidoa, the capital of South West State. Protestors had gathered in the town to protest the arrest of al-Shabaab defector, Mukhtar Robow, at that point a candidate in the regional presidential elections. Amnesty International and the BBC, drawing on local media, reported 11 deaths, including a member of the regional parliament. The United Nations (UN) later estimated that 15 people were killed.<sup>2</sup> At least three people were reported to have been taken to the Baidoa Regional Hospital having sustained gunshot wounds. Somali and Ethiopian security forces in the area were implicated in the violence.<sup>3</sup> Within hours, UK officials became aware of the events and were asking: did we train the forces responsible?**

The UK had been involved in training parts of the Somali security forces for many years. In 2013, the UK committed ‘military experts to advise the Somalis as they develop their armed forces, as well as £10 million over 2 years to help extend forces beyond Mogadishu, conditional on progress in tackling human rights and financial management concerns’.<sup>4</sup> By 2018, public references to a condition of human rights progress had been dropped but the UK training effort was still there. Soldiers from the army’s training-focused Specialised Infantry Group, alongside other regiments, were training the Somali National Army. UK advisers taught skills such as medical training, weapons drills and human rights on the outskirts of Baidoa,<sup>5</sup> not far from where the protests broke out in December that year.

As news reached the UK Government of the violence of Somali security forces in Baidoa, Foreign and Commonwealth Office (FCO) officials scrambled to understand what had happened and who was implicated. FCO staff overseeing some of the UK’s stabilisation programmes scanned public sources and made phone calls to the UK Army’s Somali National Army Support Team responsible for the training in Baidoa. Meanwhile the ambassador in Mogadishu and senior FCO officials in London were briefed. For one FCO official, if forces trained by the UK had been involved, the incident then could have led to a withdrawal of the UK’s training.

Around 48 hours after the initial incident, the UK’s investigations had concluded that Somali police units had played a role in the violence, but Somali National Army units trained by the UK had not.<sup>6</sup> It is possible the UK had in this case even had a hand in successfully mitigating a key risk of training military units in fragile states – that those trained go on to commit abuses. One official said that they had heard anecdotal suggestions that the human rights training delivered by the UK played a part in the Somali National Army’s restraint on this occasion.<sup>7</sup>

Another stated that the incident was subsequently used as a learning exercise with the Somali National Army, to underscore how not to engage protests and to highlight the UK's commitment to human rights.<sup>8</sup>

There may have been no link between UK-trained units and the violence of 14 December 2018, but the incident shows that the UK was alive to this possibility. Somali security forces have been

involved in numerous violations of human rights and incidents causing civilian casualties.<sup>9</sup> While al-Shabaab and clan militias may be behind most civilian casualties, any abuses by state forces mandated to protect Somalis are highly problematic and create risks that UK-trained units may be involved in future civilian harm. The incident also highlights how backing Federal

Government of Somalia or other Somali forces in a context of clan rivalries and divisions over federalism and electoral processes presents an ongoing risk of UK assistance coming to play a role in partisan political divides that lead to violence.<sup>10</sup> The UK tactic of delivering security assistance to Somali and regional security forces may not have been linked to the 14 December violence but, in a complex and unstable environment, the risk of undermining peace and people's rights is ever present.

The UK's training mission in Somalia is not unique. The UK conducts security assistance missions across parts of Eastern Europe, Africa, Asia, Latin America and the Caribbean, as well as to UK Overseas Territories. Security assistance could refer to a range of different forms of support to a partner security force, including training, mentoring, financial assistance, the provision of equipment, joint deployments, joint exercises and security sector reform involving assisting financial or administrative capabilities. For the purposes of this paper, security assistance will focus on 'the training and equipping of foreign forces, whether this assistance is gifted, sold or leased'.<sup>11</sup> These missions have seen British military personnel, police and contractors travel to compounds, bases and rural camp sites to deliver training in anything from infantry tactics to intelligence gathering to countering improvised explosive devices (IEDs). Leasing security equipment is an American practice rather than a British one, but in some cases military or security equipment is gifted by the UK government to assist in building the capabilities of the security force that is being trained. Often this is non-lethal equipment like body armour or helmets, though small numbers of weapons have been gifted.<sup>12</sup> Considerably more significant in scale and value are the billions of pounds of commercially sold military equipment, weapons systems and ammunition that leave UK

ports and airfields every year. This paper outlines many cases where these arms end up on battlefields in fragile and conflict-affected states or in the hands of repressive authoritarian regimes. Politicians seek to justify security assistance both in terms of what it seeks to counter – such as terrorism, 'irregular or illegal' migration, organised crime, the narcotics trade, poaching – and what it seeks to advance – regional stability, commercial interests and the UK's political influence.

## Security assistance

This paper focuses on the training and equipping of foreign security forces, including military, police, border agents or coast guards, including:

- training and mentoring to security forces
- military or dual-use equipment gifted in support of the provider's wider security and foreign policy aims
- commercially sold military or dual-use equipment

While the intended outcome of an assistance programme may be a safer, more secure environment, the incident in Somalia highlights that the UK government is conscious of the human rights risks inherent in security assistance. The political context of the incident, however, highlighted the broader political limitations associated with UK security assistance to fragile and conflict-affected states. Building the operational capabilities of a security force that may have a dubious record on human rights carries obvious risks to civilians and prisoners in the areas they control and can inflame grievances, driving new cycles of conflict. Further risks of stoking future conflict may arise from working in political environments with low accountability, ethnic or clan tensions, and corruption or political self-interest. As external interveners, without having undertaken comprehensive assessments, UK officials, military and police personnel, contractors and other UK partners may be under-prepared for the power dynamics and politics at play. To try to mitigate these risks, the UK undertakes a range of safeguarding and risk assessment processes which should accompany each training mission and arms transfer. Security assistance may also be accompanied by other UK programming that seeks to address human rights concerns and build greater peace and stability, including security sector reform, anti-corruption efforts, governance reform, community security programming and peacebuilding. However, for the sake of those whose lives are shaped by conflict or authoritarian rule, and for the UK's own interests in

peace and stability, it is vital to assess whether the UK is doing enough to assess and minimise the inherent risks of providing security assistance. In Somaliland and Nigeria units of security forces which have received training from the UK have been implicated in human rights violations, raising the real possibility that UK-trained individuals were responsible. In Yemen, the UK-supported Royal Saudi Air Force has been implicated in a pattern of international humanitarian law (IHL) violations. And while evidence of human rights violations by UK-trained forces in Egypt may be scarce, joint exercises still send a political message of support to a military dictator guilty of wholesale repression of Egyptian civil society. This suggests there is much more that the UK could do to improve the practice of decision-making, safeguarding, risk assessment and – crucially – in finding alternatives to security assistance.

This discussion paper will explore the nature of UK security assistance and its impact on fragile and conflict-affected states, including the risks to peace and rights and the security of populations in those areas. It is intended to be useful for policymakers assessing the gaps in strategies and safeguards associated with security assistance, as well as researchers, journalists, parliamentarians and other bodies seeking to scrutinise UK security assistance.

This report begins with an outline of the types and distribution of UK security assistance. It then considers UK strategy-making and conflict analysis, as well as tools to advance conflict sensitivity and

gender equality, and mitigate the risk of human rights violations. It explores UK security assistance in four cases: Somalia, Mali, Egypt and Saudi Arabia (with reference to the war in Yemen). A discussion of the risks associated with UK security assistance follows. Finally, the report considers the effectiveness, coherence and gaps in the various decision-making processes which govern security assistance. The report concludes with a set of recommendations and suggested questions for individuals and organisations scrutinising UK security assistance activities.

UK security assistance to security forces in conflict-affected contexts can be compared to using matches or flammable fuel. In the right hands, in the right context, security assistance may be a vital tool for addressing complex challenges. However, it requires careful handling to navigate political, social and environmental conditions, with clear planning and safeguards in place, to avoid unwittingly starting or fuelling a conflagration. This report asks whether the UK is doing enough to mitigate the risks of deploying a potentially dangerous tool.

The report is based on secondary literature and 29 interviews with non-government experts, including from the UK and countries that receive UK security assistance, as well as with UK officials, serving and former military officers, and consultants who have worked on UK security assistance. Due to the nature of the COVID-19 pandemic, all interviews were conducted via virtual platforms.

## Notes

- <sup>2</sup> United Nations Human Rights Council (2019), ‘Situation of human rights in Somalia, Report of the Independent Expert on the situation of human rights in Somalia’, A/HRC/46/62, 16 September ([https://reliefweb.int/sites/reliefweb.int/files/resources/A\\_HRC\\_42\\_62\\_AEV.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/A_HRC_42_62_AEV.pdf))
- <sup>3</sup> Amnesty International (2018), ‘Somalia: Use of lethal force to quell protests in Baidoa unjustifiable’, 14 December (<https://www.amnesty.org/en/latest/news/2018/12/somalia-use-of-lethal-force-to-quell-protests-in-baidoa-unjustifiable/>); BBC News (2018), ‘Somalia violence: Deadly Baidoa clashes over Robow arrest’, 14 December (<https://www.bbc.co.uk/news/world-africa-46566484>)
- <sup>4</sup> HM Government (2013), ‘UK commits to help Somalia improve security and prevent famine’, 7 May (<https://www.gov.uk/government/news/uk-commits-to-help-somalia-improve-security-and-prevent-famine>)
- <sup>5</sup> Oliphant R (2018), ‘Inside the British army training programme for Somali soldiers fighting one of the world’s most feared terrorist groups’, *The Telegraph*, 28 January (<https://www.telegraph.co.uk/news/2018/01/28/british-trained-somali-soldiers-sense-turning-tide-terrorist/>); *Warfare Today* (2018), ‘Operation TANGHAM: The British Army in Somalia’, 31 August (<http://www.warfare.today/2018/08/31/operation-tangham-the-british-army-in-somalia/>)
- <sup>6</sup> Saferworld Interview, official working for the CSSF, 29 July 2020.
- <sup>7</sup> Saferworld Interview, FCDO official working on Somalia, 10 November 2020.
- <sup>8</sup> Saferworld Interview, official working for the CSSF, 29 July 2020.
- <sup>9</sup> United Nations (2020), ‘Report of the Independent Expert on the situation of human rights in Somalia’, A/HRC/45/52, 24 August, para 15 (<https://documents-dds-ny.un.org/doc/UNDOC/GEN/G20/215/04/PDF/G2021504.pdf?OpenElement>); United Nations Security Council (2020), ‘Situation in Somalia, Report of the Secretary-General’, S/2020/398, 13 May (<https://undocs.org/en/S/2020/398>)
- <sup>10</sup> BBC News (2018), ‘Somalia violence: Deadly Baidoa clashes over Robow arrest’, 14 December (<https://www.bbc.co.uk/news/world-africa-46566484>)
- <sup>11</sup> Watts T, Biegon R (2017), ‘Defining Remote Warfare: Security Cooperation’, *Remote Control*, November, p 2 (<https://www.saferworld.org.uk/resources/publications/1306-defining-remote-warfare-security-cooperation-by-rubrick-biegon-and-tom-watts>)
- <sup>12</sup> HM Government (2017), ‘UK Strategic Export Controls Annual Report 2016’, 20 July, p 24 ([https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/629853/Strategic\\_Exports\\_AR\\_2016\\_tagged.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/629853/Strategic_Exports_AR_2016_tagged.pdf))



The UK-funded training facility  
for the Somali National Army  
(SNA) officially opened in Baidoa,  
June 2019.

© UK Embassy, Mogadishu

# 2

## Support provided and how risks are managed

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This report considers three forms of UK security assistance: training to security forces; gifted equipment; and commercial arms sales to fragile and conflict-affected states. It also explores UK security assistance that is having a wider negative impact on fragile and conflict-affected states, even if they are not the direct recipient. This section starts with an overview of what types of security assistance the UK provides and who it provides it to. It goes on to discuss the decision-making and safeguarding tools that the government uses to assess conflict dynamics, determine what interventions are needed, and manage the risks to human rights and wider conflict dynamics. This section provides an overview of contemporary assistance and decision-making processes as background to the later sections, which highlight the risks of UK assistance and gaps in the strategy and safeguarding processes.

### 2.1

#### What does the UK provide and to whom?

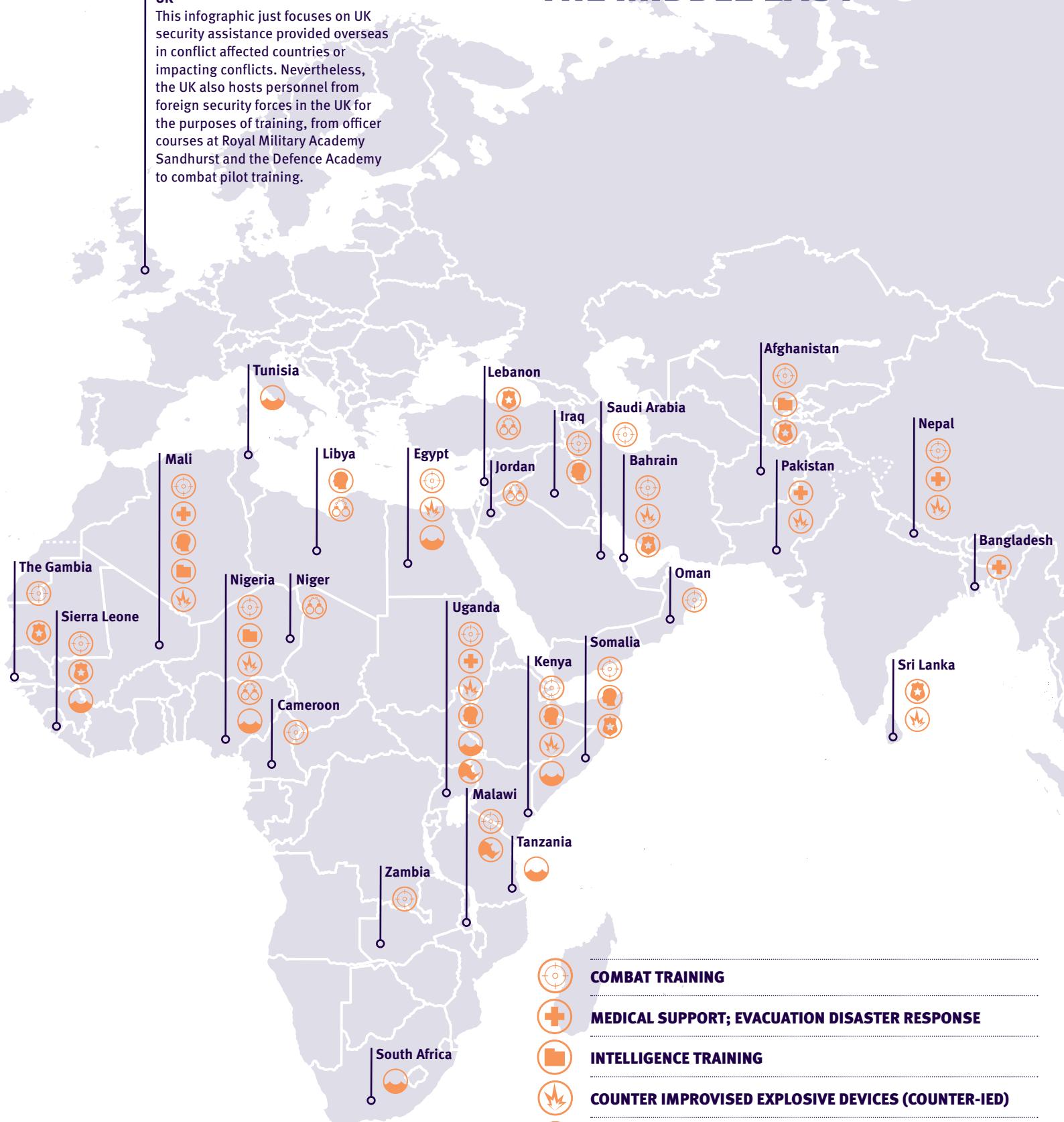
##### 2.1.1 Training security forces

The UK's training offer to security forces in fragile states can encompass a range of different themes. Under an umbrella that might be considered 'traditional military operations', the UK trains (usually state-run) partner military units in skills for ground combat operations. Examples include training via the European Union (EU) mission in Mali<sup>13</sup> and bilateral training to the Somali,<sup>14</sup> Egyptian,<sup>15</sup> Nigerian<sup>16</sup> and Iraqi<sup>17</sup> militaries. Other operational trainings include medical support and evacuation<sup>18</sup> and air–land battle integration.<sup>19</sup> It also offers various types of training support to police forces,<sup>20</sup> intelligence gathering,<sup>21</sup> border management and counter-human trafficking,<sup>22</sup> and it offers counter-poaching training to wildlife ranger units.<sup>23</sup> UK training is not just in coercive military tactics. The UK trains several security forces in disaster relief; for example, in Nepal and Bangladesh. The UK has also developed a specialism in training for countering IEDs. UK trainers have delivered this in Iraq,<sup>24</sup> Egypt,<sup>25</sup> Afghanistan,<sup>26</sup> Pakistan<sup>27</sup> and Mali.<sup>28</sup>

# EXAMPLES OF UK SECURITY ASSISTANCE TRAINING ACROSS ASIA, AFRICA AND THE MIDDLE EAST

UK

This infographic just focuses on UK security assistance provided overseas in conflict affected countries or impacting conflicts. Nevertheless, the UK also hosts personnel from foreign security forces in the UK for the purposes of training, from officer courses at Royal Military Academy Sandhurst and the Defence Academy to combat pilot training.



Information compiled from official government sources, including annual reports, programme summaries, parliamentary questions, statements and official government social media. Information has been cross-referenced with data compiled by Peace Research Institute Oslo and builds on past work by Saferworld and Oxford Research Group.

During Gavin Williamson's tenure as Defence Secretary (2017–19), the UK military expanded its training into issues under the rubric of 'human security'. It defines human security as:

'An approach to national and international security that gives primacy to human beings and their complex social and economic interactions. It represents a departure from traditional security studies which focus on the security of the state.'<sup>39</sup>

The North Atlantic Treaty Organisation (NATO) has similarly embraced the concept of human security.<sup>40</sup> Recent trainings by the UK conceived as part of the evolution of this approach have included human rights and 'gender aspects' to the Libyan Coastguard,<sup>41</sup> and gender equality training to the Peshmerga in the Kurdistan region of Iraq, which first began in 2015, as well as addressing human rights and gender equality with Somali security forces.<sup>42</sup>

The UK is also involved in longer-term efforts to reform security forces beyond short-term security assistance and building the capabilities of front-line personnel. In Afghanistan, prior to the capture of Kabul by the Taliban, the UK's Conflict, Stability and Security Fund (CSSF) programme was involved in supporting the Ministry of Interior Affairs with reform to the administration of payroll in order to ensure continued staffing of the Afghan police.<sup>43</sup> In Somalia, the UK states that it is working to establish 'mechanisms for Somali governance and civilian oversight of security'.<sup>44</sup> The UK sits on 'reform boards' advising on reforms to the Ukrainian Minister of Defence<sup>45</sup> and the Peshmerga.<sup>46</sup> The UK also works to improve the security provided by some non-state security forces, such as that provided by Ethnic Armed Organisations in Myanmar.<sup>47</sup> However, based on the information available, it is sometimes difficult to ascertain the balance between activities that provide leadership support or operational training and broader reform efforts to transform security forces into responsible agents accountable to civilian structures.

## 2.1.2 Training by UK special forces

Due to the UK Government's policy of not commenting on special forces' deployments and the associated lack of parliamentary scrutiny in this area, understanding their role in security assistance is difficult.<sup>38</sup> However, in the last few years, several reports have emerged of UK special forces operating in a mentoring or training capacity. A Special Air Service (SAS) soldier was photographed assisting Kenyan security forces during an attack by

al-Shabaab on Nairobi in 2019. He was reportedly part of a UK training presence in Kenya.<sup>39</sup> There have been reports of UK special forces assisting militias affiliated to the Libyan Government of National Accord to fight Islamic State and in 2016, the government confirmed its intention to train Libyan forces.<sup>40</sup> In March 2019, sources within the UK's Special Boat Service (SBS) reportedly told the *Daily Mail* that there were 30 SBS soldiers inside Yemen, mentoring Saudi Arabian ground forces in their fight against the Houthis (Saudi Arabia's main opponent in Yemen). They suggested that the SBS mentoring teams included medics, translators and forward air controllers tasked with requesting air support from the Saudis.<sup>41</sup>

## 2.1.3 Gifted equipment

The UK occasionally offers partners 'gifted' equipment to increase their capabilities. UK-gifted equipment is usually less-lethal in nature. Sometimes military equipment may be transferred to groups that provide non-security services, such as the six armoured vehicles given to the World Health Organization for the Ebola response in the Democratic Republic of Congo (DRC).<sup>42</sup> Most frequently, the UK provides gifted equipment to state security forces. Between 2016 and 2018, the UK gifted vehicle or body armour to Jordan, Libya, Somalia and Lebanon. Additionally, counter-explosive equipment was gifted to security forces in Somalia, Nigeria and Libya and to the Free Syrian Police and Army in the same time period.<sup>43</sup> A UK gift of 40 heavy machine guns to the Ministry of Peshmerga Affairs, alongside training in how to use them, stands out as a rare exception to the norm of less-lethal gifts.<sup>44</sup> Nevertheless, it is worth noting that less-lethal equipment may increase the capability of a security force in a lethal scenario when its use is coupled with lethal equipment sourced elsewhere. Some less lethal and dual-use equipment can be readily adapted for more lethal ends.

## 2.1.4 Commercial arms sales

The value and volume of commercial UK arms sales is huge in comparison to equipment gifted by the government. Between 2016 and 2019, the UK approved £48 million worth of gifted equipment. At the same time, the UK government granted standard individual export licences for the export of military equipment under commercial contracts with a total value of more than £18 billion. This does not include equipment licensed for export under 'open licences', which are typically of an unlimited value.<sup>45</sup> The US, France, Italy and Gulf nations (including Saudi

Arabia, the United Arab Emirates [UAE] and Oman have been the largest recipients of UK-licensed equipment (by value) over the last ten years.<sup>46</sup> The three largest groups of licences issued were for ‘aircraft, helicopters, drones’ (£21 billion); ‘grenades, bombs, missiles, countermeasures’ (£8.3 billion); and small arms (£2.9 billion).

The value of arms sales to conflict-affected and fragile states is much lower: Afghanistan has received approximately £129 million worth of equipment under standard licences since 2008; Iraq has received £83 million, Libya £76 million, Somalia £11 million and Yemen £4.2 million. In Libya, there has been a clear decline in the value of standard licences since the start of the civil war in 2014. Meanwhile, the UK has sold £220 million worth of equipment to Egypt, peaking just two years after a coup d'état, with £108 million of arms transferred to Egypt in 2015. This included £49 million in components for ‘armoured vehicles [and] tanks’ and small arms worth £2.7 million.<sup>47</sup>

### 2.1.5 A growing trend in a crowded space

The UK is by no means alone in the field of security assistance. Both allies and adversaries of the UK are increasingly seeking to counter overseas threats and exert influence without deploying large numbers of their own conventional forces.<sup>48</sup> In the West, this forms part of a growing trend in ‘remote warfare’. Some of the UK’s training missions are conducted as part of multilateral missions, such as its support to the Malian army, deployed prior to the UK’s exit from the European Union (EU) through the EU training mission in Mali (EUTM), and (until 2019) to the Libyan coastguard through the EU’s Operation Sophia. Others are conducted cooperatively with allies or through the NATO alliance. Examples include the Resolute Support Mission in Afghanistan<sup>49</sup> and Operation Shader, the UK’s contribution to international support for the Iraqi government and local forces in Syria to defeat Islamic State.<sup>50</sup>

The UK often seeks greater influence with security assistance recipients, alongside other nations with their own different objectives who are offering training and military equipment to the same partners. Turkey’s recent claim to be training a third of Somalia’s army is but one example of competing powers, from China and Russia to Gulf nations, who are increasing their security cooperation in the wider region.<sup>51</sup>

## 2.2 How does the UK decide to provide security assistance and how does it manage risk?

UK security assistance is undertaken under a hierarchy of strategies, coupled with a range of guidance and risk management processes. At the highest level, from 2015 the National Security Strategy was oriented around three headline objectives: ‘Protect our people, project our influence and promote our trade’.<sup>52</sup> Below that sit national security strategies for specific regions, priority countries and themes such as migration. These strategies inform how different government tools such as diplomacy, defence or CSSF programmes engage in specific conflicts and contexts.<sup>53</sup> Ministry of Defence (MOD) engagement is also shaped by regional defence engagement strategies.<sup>54</sup> Despite these strategies being crucial for guiding cross-government activities, often in very high-risk contexts, there is little publicly available information on their contents.

The Joint Analysis of Conflict and Stability (JACS) is a key conflict analysis exercise, which in part informs the national security strategies for priority countries and regions, CSSF programming, and risk assessments. It seeks to capture a breadth of experience from different officials, drawing on a range of government analyses and external expertise. It uses both literature review and interviews, resulting in shared analysis and recommendations to inform government action.<sup>55</sup>

More general guidance related to different aspects of security assistance comes from documents such as the following:

- The government’s Stabilisation Guidance.<sup>56</sup>
- Joint Service Publication 1325 on Human Security in Military Operations (JSP 1325).<sup>57</sup>
- The International Defence Engagement Strategy, which sets out both UK- and overseas-based training and the promotion of defence exports as activities to achieve UK objectives.<sup>58</sup>

# OSJA RISK CATEGORIES

## LOW RISK

**The Human Rights and IHL Risk of the Proposed Activity**



There is a LESS THAN SERIOUS RISK that the assistance might directly or significantly contribute to a violation of human rights.

**Reputational and Political Risks identified**



There is LITTLE OR NO reputational or political risk for the UK Government or agencies.

## MEDIUM RISK

**The Human Rights and IHL Risk of the Proposed Activity**



There is a SERIOUS RISK that the assistance might directly or significantly contribute to a violation of human rights BUT this can be MITIGATED EFFECTIVELY.

**Reputational and Political Risks identified**



There is SOME reputational or political risk for UK Government or agencies but this CAN BE MITIGATED EFFECTIVELY.

## HIGH RISK

**The Human Rights and IHL Risk of the Proposed Activity**



There is a SERIOUS RISK that the assistance might directly or significantly contribute to a violation of human rights and it is assessed that the mitigation measures WILL NOT EFFECTIVELY MITIGATE THIS RISK.

**Reputational and Political Risks identified**



There is a SERIOUS REPUTATIONAL or POLITICAL RISK for the UK Government or agencies.

## HIGH RISK

### MEDIUM RISK

Activity has been designated MEDIUM RISK and requires CONSULTATION WITH SENIOR PERSONNEL e.g. Head of Department, Head of Mission (or DHM) or Assistant Chief Constable.

Activity has been designated HIGH RISK and requires SIGN OFF FROM MINISTERS UNLESS APPROVAL HAS ALREADY BEEN GIVEN for the activity to be carried out by the same institution filing the OSJA; and NOTHING MATERIAL CHANGED .

### LOW RISK

Activity has been designated LOW RISK and APPROVAL CAN BE SOUGHT from the person with day-to-day oversight of the proposal.



**Figure 1: OSJA Risk Categories.**

Taken from: Walpole L, Karlshøj-Pedersen M (2020), 'Forging a New Path: Prioritising the Protection of Civilians in the UK's Response to Conflict', Oxford Research Group: Remote Warfare Project, July, p 20 (<https://www.saferworld.org.uk/resources/publications/1296-forging-a-new-path-prioritising-the-protection-of-civilians-in-the-ukas-response-to-conflict>)

- Commercial arms transfers are also promoted as part of UK export strategies. The foreword by then-Prime Minister Theresa May to the 2018 UK Export Strategy included a desire to be ‘realising the prosperity, stability and security benefits of trade’.<sup>59</sup> Specific cyber security<sup>60</sup> and security sector<sup>61</sup> export strategies have also been produced.

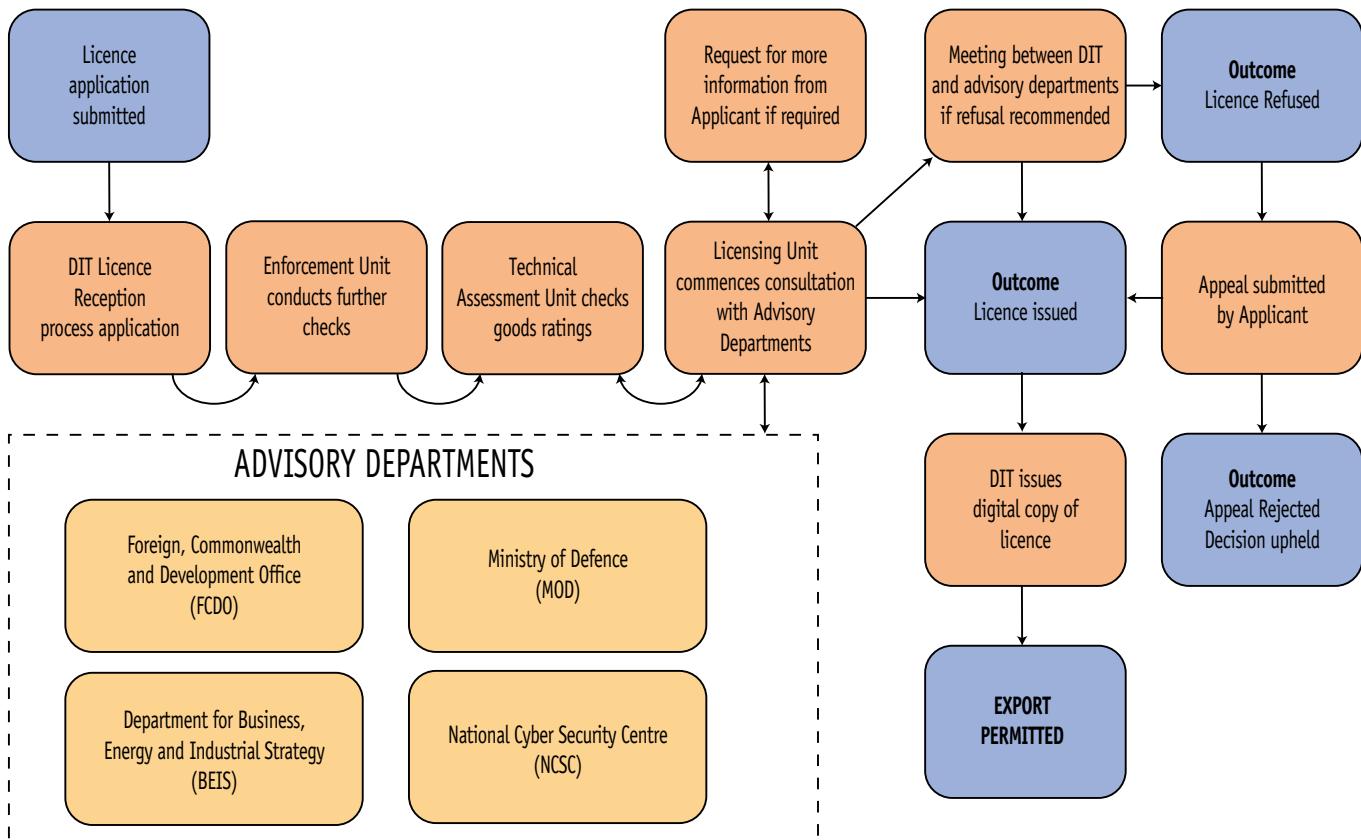
The risks associated with the transfer of military equipment and provision of training are assessed through several separate processes, even where they are delivered to the same country:

1. Training to any security forces should be considered through an Overseas Security and Justice Assessment (OSJA). The guidance underpinning these assessments ‘should be considered for all new proposed assistance and extensions to existing assistance’ and covers cooperation with a range of different types of security forces, both military and civilian.<sup>62</sup> The risks considered are reasonably comprehensive in assessing the likely actions of the specific group being trained, including possible human rights violations, sexual violence, refoulement, interference with democratic rights, support for terrorism, or undermining conflict prevention (see figure 1).<sup>63</sup>
2. Arms licensing takes a similar checklist approach, while the risk of arms transfers contributing to a negative impact are considered in relation to a range of criteria. The Consolidated EU and National Arms Export Licensing Criteria (‘the Consolidated Criteria’) include, for example, consideration of potential human rights violations, violations of international

humanitarian law, breach of sanctions, and diversion to parties beyond the intended recipients. The arms licensing system differs from the OSJA process in two fundamental ways. First, it is based on very specific international agreements, including the Arms Trade Treaty and the EU Common Position on Arms Exports. Secondly, it is a process set in law, meaning that the UK legally cannot transfer equipment if there is a risk that one of the Consolidated Criteria would be broken. The assessments for whether a licence would violate the criteria are carried out by multiple departments overseen by the Department for International Trade. (For example, see figure 2 for the process deciding standard individual export licences.)<sup>64</sup>

3. The UK government uses additional tools to ensure that programmes, including security assistance, are sensitive to both conflict dynamics and gender inequality.
  - a. Activities conducted through the CSSF are measured against the Organisation for Economic Co-operation and Development’s (OECD’s) Gender Sensitivity Marker to gauge whether they focus on gender equality as a primary or secondary objective (or not at all).<sup>65</sup> In 2018, the CSSF was criticised for the poor implementation of gender-sensitive components of its work<sup>66</sup> and, since then, has hired new advisers on gender equality.<sup>67</sup>
  - b. A conflict sensitivity marker is also used by the CSSF to assess and factor in the changing conflict dynamics surrounding programmes.<sup>68</sup>

### Standard Individual Export Licence (SIEL) Process



**Figure 2: Standard Individual Export License (SIEL) Process.**

Taken from HM Government (2021), 'UK Strategic Export Controls Annual Report 2020', 21 July ([https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1006254/United-Kingdom-Strategic-Export-Controls-Annual-Report-2021.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1006254/United-Kingdom-Strategic-Export-Controls-Annual-Report-2021.pdf))

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- <sup>68</sup> Different teams may use these in different ways, but an official familiar with the process suggested the CSSF is trying to put less stock in the tool itself and much more in ensuring that the iterative context assessments and consideration of how to adapt programming and manage risks happen. Saferworld interview, CSSF official, London, 29 July 2019.



**Smoke billows from the site of  
Saudi-led air strikes in Sanaa,  
Yemen, 7 March 2021.**

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# 3

## UK security assistance in specific contexts

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**This chapter looks at four complex and unstable contexts where the UK is providing security assistance and discusses the decision-making and the relevant risks involved.**

In Mali and in Somalia, the UK is seeking to support security forces in armed conflicts where government control is contested. These contexts highlight, in different ways, the risks of short-term ‘train and equip’ security assistance with a narrow focus on counter-terror and/or border control, without sufficient investment in a more sustainable and inclusive peace process and/or political strategy to tackle longer-term dynamics driving conflict. Egypt is a growing destination for UK security assistance and high-level defence and political engagement. The UK provides arms sales and engages in joint defence training exercises, while the Egyptian military fights an insurgency in the Sinai region. Assistance to Saudi Arabia is probably the worst example of the dangers of UK security assistance for peace and rights, as the UK’s huge commercial arms sales fuel a Saudi-led intervention in neighbouring Yemen with disastrous consequences for Yemenis. The discussion of security assistance to each of these countries sets the scene for the analysis of the risks associated with UK security assistance that follows in chapter 4.

## 3.1 Mali

UK support to Mali could be seen as typical of UK security assistance in conflict-affected states. Among other aims, counter-terror is an important focus. However, there are concerns that the UK's security assistance approach fails to consider broader conflict dynamics carefully enough. The assistance includes the provision of training in a range of activities. At least up until 2020, this was delivered through the European Union's Training Mission (EUTM) in Mali. The UK's EUTM contribution included 'military secondees to EUTM, focused on infantry, medical and counter-IED training and offering command-level strategic advice, as well as two civilian secondees, focused on providing international humanitarian law training'.<sup>69</sup> The UK has also provided training and support to increase the intelligence capabilities of the Malian Gendarmerie and Direction Générale de la Sécurité Extérieure.<sup>70</sup>

The UK has not directly gifted equipment in the last three years, but has routed funding through the EU's Africa Peace Facility. This has been used for material support for the Group of Five Sahel Joint Task Force (G5S-FC, including Burkina Faso, Chad, Mali, Mauritania and Niger). It has included personal protective equipment (body armour and helmets) and counter-IED equipment.<sup>71</sup> Commercial arms sales to Mali from the UK have totalled around £6 million since 2008 (in terms of standard export licences). Sales worth £2 million were licensed in 2016, and the annual value of licences has remained higher since that year compared to pre-2016 levels. The licences include a range of equipment, such as components for aircraft, helicopters and drones; grenades, bombs, missiles and countermeasures; target acquisition, weapon control and countermeasure systems; components for armoured vehicles and tanks; armoured plate, body armour and helmets; and electronic equipment and ammunition.<sup>72</sup>

So far, Western security assistance has not adequately addressed the causes of conflict in Mali. The EUTM has been criticised for failing to respond to bias against members of the Fulani ethnic group within the Malian forces.<sup>73</sup> IHL training is inadequate to improve the behaviour of troops. Malian forces have been 'linked to numerous violations including extrajudicial killings, enforced disappearances, torture and arbitrary arrests'.<sup>74</sup> Figures from the Uppsala Conflict Data Programme show the scale of the problem, suggesting that the number of conflict deaths caused by state forces is higher than those caused by non-state actors.<sup>75</sup> State security forces

have overwhelmingly failed to protect civilians from attacks by jihadist groups. Many communities have formed armed civil defence groups, who sometimes prey on their own communities or clash with other armed groups frequently based on ethnic identity. The Mali Government has also tacitly outsourced part of the fight against jihadists to these groups. Minority groups, such as the historically marginalised Fulbe, also known as Fulani, have frequently clashed with civil defence groups, who often accuse them of belonging to jihadist movements. By overwhelmingly focusing on counter-terrorism, neither the Malian authorities nor international partners, including the UK, have addressed these complex, historic dynamics, with the consequence that armed violence has become increasingly normalised.

The UK has multiple potentially competing objectives in Mali. UK security assistance sits alongside other UK security interventions in Mali. In 2018, it deployed three Chinook helicopters to support France's counter-terror force, Operation Barkhane. In November 2020, the UK deployed 300 troops to the UN mission, MINUSMA (Multidimensional Integrated Stabilization Mission in Mali). The UK's training via the EUTM overtly aims to 'protect UK security interests by supporting efforts to build regional stability and counter-terrorism and serious and organised crime and their root causes' and 'to multiply UK influence in the Sahel through multilateral and bilateral cooperation and increased promotion of Global Britain's core values'.<sup>76</sup> Indeed, among the UK's multiple objectives in Mali, one key consideration has been maintaining positive relations with France (which has led external interventions into the conflict-affected country).<sup>77</sup>

Thus, at present, UK security assistance and other interventions appear more concerned with supporting narrowly defined national interests than with addressing longstanding cycles of violence and building peace and security for Malian civilians; likewise, French and US security presences in the country are more concerned with tackling jihadist groups than protecting civilians. This focus is then adopted by Malian forces. Given the emphasis on capacity building, international partners have focused little on reforming governance or anti-corruption.<sup>78</sup> Malian troops are also trained near Bamako in situations with little resemblance to the front lines. The UK Government has concerns about the human rights records of the forces it is training in the region and has admitted that it needs to take greater account of this in its work.<sup>79</sup> However, it is yet to be seen how these concerns will change its approach to security assistance in Mali and whether they will become important enough to prompt a significant shift in the UK's approach. Until human rights violations and poor governance are addressed

it is unclear how the UK is addressing the ‘root causes’ of instability, leaving this objective behind in the UK’s prioritisation of counter-terrorism and relations with France.

## 3.2 Somalia and Somaliland

The UK has long been involved in promoting security and stability in Somalia and Somaliland. Results are ambiguous: it is possible UK-trained units may have been involved in abusive behaviour, but on the other hand UK training may have enhanced discipline and respect for human rights within other trained units. The UK’s stabilisation work to support forces affiliated with either the Federal Government of Somalia or authorities in Somaliland is likewise fraught with risk, attempting to respond to clear conflict prevention needs, while navigating important tensions between these actors, the political opposition and regional-level governments. The specific nature and level of conflict risks are different in Somalia and Somaliland and the UK needs to understand the local factors sensitively.

UK politicians have framed support for Somalia as a means of countering regional and international threats emanating from the country. These include proscribed groups such as al-Shabaab and Islamic State, piracy and organised crime. Poverty, humanitarian needs and the need to assist the millions of Somalis displaced by drought, famine or conflict have also been emphasised.<sup>80</sup> Objectives for security assistance and wider security sector reform efforts are more specific. They are focused on civilian-overseen Somali security forces taking and holding territory from al-Shabaab and establishing government provision of security and other services.<sup>81</sup>

The UK’s security assistance includes training by the UK military to the Somali National Army, covering ‘offensive and defensive operations, basic command and control, checkpoints, leadership, live firing, combat first aid, the law of armed conflict, human rights and gender’.<sup>82</sup> Further support is provided to police training and security reform efforts,<sup>83</sup> as well as the construction of a military barracks in Baيدoa.<sup>84</sup> Training is delivered to African Union Mission in Somalia (AMISOM) forces heading to Somalia<sup>85</sup> and there has been a UK presence in UN and EU training efforts.<sup>86</sup> Somalia is a relatively small destination for commercial arms sales, with around £11 million

worth of standard licences granted from 2008 to 2018. The UK gifted body armour to Somali counter-terror police in 2016.<sup>87</sup>

In Somaliland, the UK is working to increase police, coastguard and military capacity and ‘compliance in human rights’.<sup>88</sup> Although the UK does not appear to confirm it publicly, UK officials and Somali experts have mentioned that the UK had supported the Somaliland police’s Rapid Response Unit (RRU).<sup>89</sup>

All the UK’s support to Somalia and Somaliland takes place in a crowded field, where the EU, Germany, the US, Turkey,<sup>90</sup> AMISOM and various Gulf countries deliver an assortment of security assistance and compete for political influence. In Somaliland, the UK stands out as a more prominent external partner.

The risks to peace and rights posed by security assistance in Somalia are well documented following the last few decades of security intervention by numerous international forces. Previous research has highlighted rounds of security assistance in the early 1990s and mid-2000s by the UN, Ethiopia and AMISOM. In many cases, when assistance ended the result was the collapse of security institutions, abuses against civilians by trained units, defection or desertion,<sup>91</sup> and the diversion of military equipment, including within the Somali security forces and to the open market. Saferworld research also notes that security assistance may benefit certain clans over others, creating potential for further conflict.<sup>92</sup>

Human rights abuses perpetrated by Somali and Somaliland security forces have been widely documented. A report by the UN found that between November 2020 and February 2021, state security forces were responsible for 76 (21 per cent of) civilian casualties. Several arbitrary detentions by Somali state security forces were also recorded,<sup>93</sup> while the RRU in Somaliland has also been implicated in causing civilian casualties.<sup>94</sup> While al-Shabaab remains a continuous threat to civilians, the role of security forces in human rights abuses shows one of the potential risks of improving their operational capabilities without broader transformational change to ensure they defend the rights and security of Somalis.

The UK has clearly worked to try and mitigate many of these risks, but it is still difficult to gauge how effective this has been. Most of the licences for military equipment transferred to Somalia have involved body armour or vehicle components, but licences since 2008 have included small arms,<sup>95</sup> despite previous diversion concerns. The UK and US’ historic support to intelligence services in Somaliland, Puntland and Mogadishu is alleged to have been at ‘times in violation of resolutions 733



A British Army trainer mentoring  
Somali soldiers.

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(1992) and 1425 (2002).<sup>96</sup> These resolutions established an arms embargo for Somalia and extended it to include military training and assistance. The anecdote included in the introduction to this report suggests that human rights training may have played a role in increasing respect for human rights in Somali security forces. However, at least one Somali expert interviewed expressed scepticism about whether human rights training to Somali security forces is focused enough on practical scenarios.

The UK's focus on expanding state control of Somalia is a potential source of controversy within Somali politics. There have been tensions and sometimes clashes between the Federal Government of Somalia and provincial governments. Opposition politicians and Somali media have expressed concern about the role UK security assistance could play in these tensions.<sup>97</sup> In Somaliland, the RRU has also been accused by media, opposition politicians and Somaliland human rights groups of intervening in political processes – including blockading the Somaliland parliament in 2014 – raising concerns about the role of UK support to the RRU.<sup>98</sup> Some Somali media suggested that the UK's support to the RRU may have ended between 2019 and 2020.<sup>99</sup> A 2018 UK Conflict Analysis for Somaliland recognised that, while the government in Hargeisa had delivered

relative peace and stability over the last 25 years, there were numerous systemic governance weaknesses.<sup>100</sup> In both Somalia and Somaliland, it is thus vital to keep scrutinising whether the increase in capabilities supported by the UK is helping to improve security sector governance and accountability and contributing towards – not undermining – a wider political strategy designed to address the country's divisions.

### 3.3 Egypt

Egypt, like Mali, is an area of growing UK security assistance and defence interest. Since the Egyptian military ousted the country's democratically elected president in 2013, the UK's commercial arms sales, training and joint exercises have increased. There are not just risks of internal diversion and human rights abuses, but of reinforcing the political legitimacy of a brutal authoritarian regime.

A 2020 visit to Egypt by one of the UK's most senior defence advisers on North Africa underscored the desire for cooperation on counter-terror, which came

two years after a Memorandum of Understanding on Counter-Terrorism.<sup>101</sup> Within this political and security relationship, arms sales have increased since 2012, with a 2015 spike of £108 million in standard licences.<sup>102</sup> These covered licensing categories such as weapons control and countermeasure systems; components for armoured vehicles and tanks; and £2.7 million worth of small arms, plus a further £199,000 in ammunition.<sup>103</sup> UK military assistance has included close protection and counter-IED training,<sup>104</sup> as the Islamic State-affiliated armed group known as Wilayat Sinai or Sinai Province had previously used bombings as one of its tactics.<sup>105</sup>

One of the largest engagements in terms of profile and number of troops was the 2019 UK–Egypt joint training exercise, Ahmose I. Involving 165 UK military personnel, the exercises covered marksmanship, contact drills, urban combat, and first aid and counter-IED training, as part of the two nations' counter-terrorism cooperation.<sup>106</sup>

The provision of security assistance to Egyptian security forces is fraught with risks to peace and rights. Since coming to power, President Sisi has presided over a wave of violent repression – often justified in the name of counter-terrorism. The regime has created poorly defined powers to designate Egyptians as terrorists. Security forces have detained human rights and women's rights activists. They have also carried out forced disappearances and extrajudicial killings, increased use of the death penalty, and clamped down on political opposition and critical journalists.<sup>107</sup> In the Sinai, the Egyptian military is fighting Sinai Province. According to Human Rights Watch, Sinai Province has kidnapped, tortured and murdered hundreds of Sinai residents, as well as executing Egyptian soldiers. Human Rights Watch has also documented a similarly brutal disregard for rights by Egyptian security forces, as well as their sponsored militias. This has included arbitrary detention, torture, extrajudicial killings, the destruction of homes and agricultural land, and forced evictions.<sup>108</sup> Such violence may feed into further conflict between the state and the communities it represses, as well as into the propaganda of jihadist armed groups.<sup>109</sup>

Some of these risks have been acknowledged by international security assistance providers. In 2013, the European Union's Foreign Affairs Council's introduced a suspension on arms exports for Egypt – where it was judged that 'they *might be used* for internal repression' [emphasis added]. This was described as a 'lower threshold than Criterion 2 which requires a "clear risk" that the goods might be used for internal repression'.<sup>110</sup> This Foreign Affairs Council threshold is in theory still in force for the UK. However, as mentioned above, in 2015 the UK

licensed the sale of £108 million worth of military equipment, including £49 million of components for armoured vehicles and/or tanks and £2.7 million of small arms.

Evidence of the direct impact of UK security assistance on human rights violations and insecurity is mixed. So far, there has been little evidence emerging of the proximity of UK military equipment to human rights violations or of UK-trained personnel committing abuses. However, this cannot be said for other Western-supplied equipment, such as the appearance of American-made

Humvees during arbitrary detentions, in two cases preceding extrajudicial killings.<sup>111</sup> Without its own end-use monitoring, and with journalists and non-governmental organisations (NGOs) targeted and repressed by the Egyptian government, the UK is not able to assess how equipment exported to Egypt is being used. Egypt analysts have raised the high likelihood of diversion within the Egyptian security forces. As one put it, "You may transfer anything to the Egyptians but it is a black box and you don't know where it will end up. It doesn't matter what end-user agreements the Egyptians sign, they might move it where they want."<sup>112</sup> Sending military equipment to one part of the Egyptian security forces is no guarantee that it won't be moved to a different unit in another part of the country where risks of human rights abuses are higher.

The Ahmose exercise also carried risks for rights and democracy in Egypt. The risks that Egyptian participants may carry out abuses as part of Egypt's brutal war on terror cannot be discounted but may be low. As the Egypt Defence Review blog has pointed out, participants were largely conscripts from the Northern Base region. They were then unlikely to be deployed to the Sinai or have UK training approaches incorporated into wider Egyptian training.<sup>113</sup> However, the UK's joint exercises may be reinforcing state violence in other ways. The Egyptian military plays a role in the country's politics. It was the instigator of the coup in 2013 against elected President Mohamed Morsi and, since then, has increased its control of economic and political life.<sup>114</sup> The UK has previously been supportive of Sisi on Egyptian media.<sup>115</sup> According to analysts, the UK's security assistance reinforces an image within Egypt of the military as the most competent actor within society.<sup>116</sup> It also sends a message that, "the Egyptian government can do what it wants, attack protestors, kill detainees, carry on in the Sinai".<sup>117</sup>

Magdi described arms sales as something that could be the West's "main form of leverage".<sup>118</sup> Yet they

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You may transfer anything to the Egyptians but it is a black box and you don't know where it will end up. It doesn't matter what end-user agreements the Egyptians sign, they might move it where they want.

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have failed to use this to exert any kind of pressure on Sisi: instead, security assistance to Egypt has reinforced the authoritarian government and failed to properly account for risks of human rights abuses and internal diversion.

## 3.4 Saudi Arabia and the war in Yemen

The UK has provided security assistance in some form to most of the members of the coalition which intervened in Yemen in 2015 to preserve the ‘Internationally Recognised Government’ of President Abdrabbuh Mansur Hadi. However, its assistance to Saudi Arabia dwarfs its assistance to other coalition members in both scale and in its catastrophically destructive impact on Yemen.

Since 2008, the UK has approved standard licences for arms sales to Saudi Arabia worth £12 billion.<sup>119</sup> In addition, from 2015 to 2019, there were 32,559 distinct deliveries made from the UK to Saudi Arabia under open licences, which are opaque, as well as ‘unlimited in value and quantity of arms, equipment and services’.<sup>120</sup>

In 2015, Saudi Arabia launched Decisive Storm: its military intervention in Yemen to restore the ‘Internationally Recognised Government’ in a war against the Houthis. Since the start of the offensive, £6.4 billion worth of arms have been licensed under standard licences to the Saudis, the United Arab Emirates and other campaign partners.<sup>121</sup> Alongside the Typhoon, Tornado and Hawk combat aircraft, mine countermeasure vessels, and associated munitions,<sup>122</sup> the UK provides a range of contracts to maintain this equipment. The UK also provides military support to the Saudi Arabian National Guard Communications Project (SANGCOM) and the Ministry of Defence Saudi Armed Forces Projects (MODSAP).<sup>123</sup> UK support is delivered by thousands of serving military personnel, military personnel seconded to BAE Systems and private contractors.<sup>124</sup>

After decades of UK security assistance to Saudi Arabia, it is its neighbour to the south, Yemen, that is bearing the brunt of the consequences. All sides in this complex conflict are widely regarded to have carried out horrific violations of human rights and international humanitarian law (IHL). In 2018, a group of UN experts found that between 2015 and 2018, ‘coalition air strikes have caused most of the documented civilian casualties. In those three years, such air strikes were found to have hit residential

areas, markets, funerals, weddings, detention facilities, civilian boats and even medical facilities’.<sup>125</sup> UN experts have also concluded that individuals in the Saudi-led coalition had launched airstrikes that may have been in ‘violation of the principles of distinction, proportionality and precaution, and may have used starvation as a method of warfare, acts that may amount to war crimes’.<sup>126</sup> The humanitarian crisis created by the conflict is catastrophic, with cholera outbreaks and swathes of the population at risk of famine.

The direct role of UK equipment and assistance in maintaining the Saudi-led campaign in Yemen, and the risk that the UK may be fuelling further violations of IHL, is clear. Sources, including a former UK–Saudi defence attaché and BAE insiders, have stated that the Saudi Air Force would not be able to operate without UK support. One BAE employee suggested it would take just seven to ten days before the Saudi Air Force would be grounded.<sup>127</sup> A legal opinion carried out by Matrix Chambers in 2015 concluded that UK arms transfers to Saudi Arabia would constitute a breach of Criterion 2 of the EU Common Position (concerned with the risk of weapons being used to violate IHL by the recipient state and/or International Human Rights Law (IHRL) in the territory of the recipient state).<sup>128</sup>

In 2019, the UK Court of Appeal declared the decision to allow these exports for use in the war in Yemen to be irrational and unlawful. This was on the grounds that the government made no attempt to assess whether the Saudi-led coalition had committed violations of IHL in the past. The government committed to award no new licences for arms exports to Saudi Arabia or its coalition partners where there was any risk the equipment might be used in Yemen until it had completed a review of licensing processes, although it allowed exports to continue under extant licences.

Following that review, one year later, Secretary of State Liz Truss resumed licensing, arguing that because there was no past ‘pattern’ of IHL violations, there was no clear risk of future violations. Yet no such requirement to demonstrate a pattern to gauge risk exists.

Given the UK was the second largest exporter of arms to Saudi Arabia (after the US) between 2010 and 2019,<sup>129</sup> and is a major supplier of air-dropped bombs and missiles, the risk that these weapons are involved in any one of numerous examples of the Saudi coalition’s IHL violations is clear.

More specifically, Mwatana for Human Rights had already released evidence of UK munitions in the wreckage of factories and a community college by the time of Truss’s assessment,<sup>130</sup> proving UK components have been used in strikes on civilian

infrastructure. Just over a week after the UK decision, seven civilians were reportedly killed by coalition air strikes in Al Jawf.<sup>131</sup> The UK's assessment was also subsequently contradicted by the UN Group of Eminent Experts, who explicitly raised concerns about those transferring arms and 'documented patterns of serious violations' of IHL and human rights law.<sup>132</sup>

The impact of UK security assistance to Saudi Arabia goes beyond direct links to violations of IHL. Commentators highlight that as the conflict has continued, the Houthis have increased their hold over Yemeni society and their ties to Iran.<sup>133</sup> As one Yemeni staff member of an international non-governmental organisation suggested, arms directly fuel the war, giving Saudi Arabia and the UAE a signal that they can continue the conflict. They added that, "The UK role has been used to build propaganda by [the] Houthis to say they are fighting an external occupation and global war against Yemen ... A lot of people trust this propaganda "<sup>134</sup>

There is also evidence that the arrangement with Saudi Arabia has a corrupting influence on UK policy-making and poses risks to the UK's own security beyond the association with injustices in Yemen. The UK has withheld key reports critical of Saudi Arabia, including on corruption and financing of jihadist groups hostile to UK interests.<sup>135</sup>

There is ample evidence of corrupt payments and gifts having been used to secure orders from the Saudi military, including for communications

equipment,<sup>136</sup> and as part of the infamous al-Yamamah arms deals. Al-Yamamah supplied the combat aircraft from BAE Systems via the Ministry of Defence, and these now fly over Yemen as part of the Royal Saudi Air Force. UK police estimated that £6 billion in corrupt payments were made as part of the deal. It has been alleged that some of these payments were transferred to the son of former UK Prime Minister Margaret Thatcher. Other bribes were allegedly transferred to the Saudi Prince Bandar bin Sultan, into the same US bank through which his wife was transferring funds to people associated with setting up accounts for two of the 9/11 hijackers.<sup>137</sup>

Given the role played by UK support to Saudi Arabia in fuelling conflict, IHL violations and humanitarian crisis in Yemen, and the evidence that the commercial relationship has corrupted UK policy-making and subverted the rule of law, this is probably the most problematic contemporary example of UK security assistance.

As these case studies illustrate, the inherent risks posed by security assistance to peace, governance and the rule of law – internationally and in the UK – are significant. They need to be carefully scrutinised and managed on a continual basis, to maintain an approach that does no harm and contributes to UK promotion of conflict prevention and open societies overseas.

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**The UK role has been used to build propaganda by [the] Houthis to say they are fighting an external occupation and global war against Yemen ... A lot of people trust this propaganda.**

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## Notes

- <sup>69</sup> UK Conflict, Stability and Security Fund (2020), ‘CSSF Annual Review Summary: Sahel Strategy 2018–2021 Defence and Security, 2018–9’, 30 April (<https://www.gov.uk/government/publications/conflict-stability-and-security-fund-africa-annual-review-summaries-2018-to-2019>)
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Afghan National Policemen, demonstrate the arrest of suspects during a capabilities event, 13 November 2010.

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# 4

## The risks of UK security assistance to peace and rights

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**The risks that the training and arming of security forces pose to peace and rights have been well documented. They apply to both Western and non-Western supplied assistance. There is greater evidence of the UK exacerbating some risks rather than other risks. The gravity of the consequences varies from place to place. This chapter summarises some of the key risks the UK must reduce in order to prevent conflict, build stability and promote open societies overseas. The most serious risks relate to impacts on the recipient unit's or authority's behaviour, and the implications of this for peace, rights and the security of local populations. But impacts on the behaviour of third parties and on the UK's own policy-making, integrity and rule of law also need to be carefully considered and managed.**

### 4.1

#### **The risks to peace and rights posed by security assistance recipients**

The most direct risk associated with security assistance is the possibility of a unit trained or equipped by the UK committing human rights abuses or violations of IHL. However, wider risks emerge from the political message sent by providing assistance to a regime with authoritarian tendencies, where provision of UK security assistance may be seen as a sign of UK endorsement.

#### **4.1.1 Risk 1: That assisted forces commit human rights and IHL violations**

The incident depicted at the start of this report shows the UK is alive to the risks of abusive behaviour by the forces it has trained, although UK-trained units were not responsible for violations in Baidoa on that occasion. Concerns have been raised about other UK-supported units elsewhere. The Somaliland-based Human Rights Centre alleged in 2014 that the UK-supported RRU of the Somaliland police had been involved in the killing of two protestors in 2013.<sup>138</sup> In 2019, the UN's Special Rapporteur on extrajudicial, summary or arbitrary executions and the Independent Expert on the situation of human rights in Somalia raised concerns about allegations that the RRU had provoked violence during a clan dispute in Somaliland. The experts alleged that the RRU used excessive force in retaliation for the death of one of their officers, resulting in the killing of two civilians and wounding of three more.<sup>139</sup>

Similar questions about the impact of UK training have been raised in Nigeria as part of the #EndSARS movement. The Special Anti-Robbery Squad (SARS) of the Nigerian police has been accused of human rights abuses and, in 2020, Nigerian security forces in several parts of the country opened fire on #EndSARS protesters calling for the disbandment of the squad.<sup>140</sup> UK ministers were forced to admit that SARS officers had been trained as part of a UK policing programme, which also included community security elements and support for civil society to push for legislative reform.<sup>141</sup> Whether the training had a positive impact on SARS and other officers, and whether UK-trained individuals were implicated in violence, remains unclear. The CSSF's annual review of the training programme delivered by the FCO and Coffey International from 2018 to 2019 gave an 'A' grade towards its objective of having more capable, accountable and responsive police and oversight mechanisms. It also contributed to greater scrutiny of SARS and proposals for reform, according to the review.<sup>142</sup>

In contexts where gender inequality, hyper-masculine military culture and low accountability meet, there is a risk that gender-based violence (GBV) and sexual abuse and exploitation may also be committed by supported forces. Scandals around sexual abuse and exploitation by peacekeepers have been documented consistently since the 1990s, involving Western and non-Western troops and both women and men victims.<sup>143</sup> Similar allegations have been levelled at some multilateral forces to which the UK has also contributed training. In 2014, Human Rights Watch raised allegations about sexual

violence and abuse, including several accounts of rape, perpetrated by AMISOM forces.<sup>144</sup> Malian security and defence forces have also been implicated in sexual violence, along with armed groups.<sup>145</sup> The UK includes gender training and training on preventing sexual abuse and exploitation as part of its training to AMISOM troop-contributing countries and the Malian army.<sup>146</sup> Another example of the risks of enabling sexual or gender-based violence through training is the case of a training programme for Libyan soldiers held in the UK which was scrapped in 2014 after three men from the first contingent of trained troops were found guilty of sexually assaulting women in Cambridge near where the training was based.<sup>147</sup>

Arms transfers are also subject to the risks that recipients may be engaging in human rights abuses. The sale of UK combat aircraft and munitions to Saudi Arabia, for use in the Yemen conflict, has been the most obvious recent example of a direct relationship between the UK government and the deaths of civilians and destruction of civilian infrastructure, including hospitals and economic production facilities.

While the risks to rights and peace may be more obvious with lethal equipment, as in the Saudi case, and the subject of much greater focus in this report, non-lethal equipment is by no means risk free. Equipment such as laser sights for rifles, vehicles, and body and vehicle armour are gifted to increase the capabilities of a security force in potentially lethal scenarios. It thus has the potential either to increase positive behaviour or the risk of excessive violence. Armed violence also has hugely significant gendered impacts. The UN Human Rights Council has noted that, 'Diversion of arms and unregulated or illicit arms transfers may have a gendered impact on the rights to life and security of person of women and girls because they fuel the commission of gender-based violence against women.'<sup>148</sup>

#### **4.1.2 Risk 2: That security assistance emboldens or legitimises authoritarian and abusive behaviour by recipient states or groups**

It is also important to understand the political impact of UK support and the risk of indirectly supporting further conflict and authoritarian behaviour. In 2017, then-Foreign Secretary Boris Johnson called for a democratic approach to counter jihadist armed groups – embracing 'neither the tyranny and repression of undemocratic governments nor the chaos and backwardness of Islamist regimes, but the real and viable possibility



Demonstrators protest against Egypt's President Abdel Fattah al-Sisi near Downing Street whilst he met with Britain's Prime Minister Cameron in London, 5 November 2015.  
© REUTERS/Luke MacGregor

of pluralist, generous and tolerant societies that allow space for free speech and independent non-governmental organisations'.<sup>149</sup>

However, since Boris Johnson's speech, UK security assistance has reinforced autocratic behaviour at the expense of his democratic vision. Egypt's war on terror has included war in the Sinai, which has involved widespread violations of IHL and human rights.<sup>150</sup> Counter-terrorism has also been used as the justification for the detention of opposition members, journalists and human rights defenders, alongside a wider campaign of serious human rights violations (see page 27).<sup>151</sup> The risks for UK security assistance appear to be more political than the immediate impact of trained units themselves. On the one hand, joint UK–Egypt defence exercises appear to have had little impact on counter-terror efforts against the Sinai Province affiliate of Islamic State. As one analyst has observed, the exercises involve conscripts who are unlikely to be redeployed from their base near Alexandria.<sup>152</sup> The direct risk of trained units committing human rights abuses therefore may be low. However, the joint exercises may confer legitimacy on the military regime as a partner of the UK, by reinforcing an image within Egypt of the military as the most competent actor within society compared to civilian institutions.<sup>153</sup>

Experts from Human Rights Watch also argue that UK security assistance sends a message that the Egyptian government can continue to violate human rights without losing UK support.<sup>154</sup>

While there are clearly limitations to what can be achieved with security assistance alone, there are many examples where supplying military assistance that is subject to trade-offs in relation to human rights and accountability and pursued in the absence of a viable longer-term political strategy for peace risks condoning abuses, entrenching problematic governance and fuelling future conflict. These examples include: the failure to grapple with the behaviour of the Somali government towards the opposition and devolved state authorities; the lack of sanction or accountability for human rights abuses perpetrated by Malian security forces; the failure to unite competing factions within the Kurdish regions of Iraq<sup>155</sup> and address corruption; and ignoring the smuggling and other grave abuses by individuals commanding the European-trained coastguard in Libya.<sup>156</sup> It is worth noting that in many parts of the world, 'Security and justice provision is not the sole preserve of the state. In much of the world, it is often provided not by formal bodies, such as state police services or judiciaries, but by informal, non-state actors. These include customary

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**Security and justice provision is not the sole preserve of the state. In much of the world, it is often provided not by formal bodies, such as state police services or judiciaries, but by informal, non-state actors. These include customary leaders, religious bodies or non-state authorities, including armed opposition groups; often a hybrid combination exists, with people choosing which system offers the best – or the least bad – outcome.**

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will use the training and equipment to pursue other aims. From 2004 to 2015, UK and US security assistance to Yemeni forces was supplied primarily for the purposes of counter-terror operations against al-Qaeda. However, President Ali Abdullah Saleh subsequently used these units to fight the Houthi movement in the north of the country,<sup>158</sup> while there were allegations that these units committed human rights abuses against protesters during the 2011 Yemeni Uprising.<sup>159</sup> A CIA officer told researchers Jack Watling and Namir Shabibi that concerns that trained units might massacre civilians were shared by the UK Government.<sup>160</sup>

Partners may alternatively pursue economic aims alongside counter-terror cooperation with the UK. In Somalia, the Kenya Defence Forces (KDF), a long-time partner of the UK, were allegedly involved in the illicit trade and taxation of sugar and charcoal, a lucrative side project to its mission to create a buffer zone against al-Shabaab.<sup>161</sup> Worse, reports have suggested collusion between KDF personnel and al-Shabaab in this endeavour – fundamentally undermining international efforts to tackle the insurgency.<sup>162</sup> Trained troops may also completely abandon the force they were serving under. In Somalia, for example, between 2004 and 2008, more than 14,000 soldiers trained by Ethiopia defected or deserted with their weapons and uniforms.<sup>163</sup> The UK's own former counter-terror partner, former-President Saleh of Yemen, formed an alliance with his former enemies the Houthis in

leaders, religious bodies or non-state authorities, including armed opposition groups; often a hybrid combination exists, with people choosing which system offers the best – or the least bad – outcome.<sup>157</sup> Yet in the vast majority of cases, UK security assistance is about reinforcing state actors to the exclusion of other more hybrid forms of security and justice provision.

#### 4.1.3 Risk 3: That assisted forces pursue agendas at odds with UK interests

Further risks emerge where the objectives and interests of trainers and trainees diverge. Partner forces are usually trained with an explicit objective in mind; for example, to militarily confront specific armed groups. However, this is not always the main objective of those forces that are being trained or those in control of them. This can run the risk that forces

an armed rebellion against the ‘Internationally (and UK-) Recognised Government’ in 2014. As of 2018, ‘Many of the officers and personnel of the CTU [the Yemeni Counter Terrorism Unit] are dead or in exile. Taha Madani, who was a senior officer at the NSB [National Security Bureau] while it received British training, is now directing the organisation in support of the Houthis.’<sup>164</sup>

In sum, risks to peace and rights posed by increasing the coercive capacity of security forces include enabling abuses of human rights and IHL, as well as the misuse of assistance to pursue agendas contrary to UK interests. When authoritarian regimes use their strengthened security forces to maintain control, this can decrease incentives to govern by consent and provide services to their populations. Increasing marginalisation, rights violations and targeting of opponents predictably fuel resentment and enmity. These risks are thus especially significant because they can fuel further cycles of conflict.<sup>165</sup>

## 4.2

### The risks to peace and security posed by third parties affected by UK security assistance

Diversion of military equipment exported or brokered by the UK can pose a significant threat to peace and security. Likewise, security assistance, including training and arms transfers, can present risks to peace and security if it appears threatening to, or provokes a reaction from, third parties – who may see this as a threat to their interests, even if this is not intended.

#### 4.2.1 Risk 4: That equipment gifted or sold could be diverted to parties other than the intended recipient

Direct evidence of exports of UK-manufactured or -brokered military or dual-use equipment being diverted to unintended recipients or for unintended purposes is scarce, but does exist. For instance, UK-made Accuracy International sniper rifles appeared in the hands of Russian special forces in Eastern Ukraine, despite the UK Government

declaring that it has never approved the export of these weapons to Russian security forces. There are also suggestions of the same equipment being held by armed groups in Syria.<sup>166</sup> In these cases, UK weapons have been acquired by adversaries of UK security assistance partners, including the Ukrainian military.

Evidence by Arab Reporters for Investigative Journalism (ARIJ) to the UK parliament's Committees on Arms Export Controls suggests that UK assault rifles have also been seen in markets in Yemen. There are further concerns that UK components may be inside equipment being used by southern Yemeni secessionist forces against the Internationally Recognised Government.<sup>167</sup> There is ample evidence of diversion of equipment from the US and other European countries into the conflict in Yemen – most likely via the UAE. Despite the risks of diversion, the UK continues to export weapons to the UAE.<sup>168</sup> In such cases, there is clearly a diversion risk, even in the absence of photographic evidence of UK equipment appearing in the hands of 'undesirable' forces. Similarly, the UK continues to sell large quantities of military equipment to Egypt, despite experts flagging high risks of diversion within the country.<sup>169</sup>

The UK also has a role in ensuring that equipment made elsewhere, but sold or 'brokered' via the UK or actors under the UK's jurisdiction, is not at risk of diversion. Evidence suggests this risk has not been adequately managed. Huge quantities of small arms and ammunition have been sold, brokered and diverted to the Middle East over the last few decades, including into the hands of armed groups in Iraq and Syria. Amnesty International highlighted shipments of assault rifles and other small arms from China, Bosnia and Herzegovina, and Serbia to the UK for onward shipment to Iraq between 2005 and 2007. Much of the equipment transferred by the US-led coalition at this time went astray and was later captured by militant groups, including Islamic State.<sup>170</sup>

In 2015, the UK failed to inform Bosnian officials that they suspected diversion in rejecting a brokering licence for the transfer of millions of rounds of ammunition from Bosnia to Saudi Arabia, including AK-47 rounds, which are not used by Saudi security forces.<sup>171</sup> This route has been an established track for the channelling of weapons to Saudi-aligned armed groups in Syria, Libya and Yemen.<sup>172</sup>

The UK could undoubtedly have played a much more proactive role in seeking to stop such diversion at the time; even now, the government still does not have formal channels for notifying the denial of brokering licences to exporting non-EU countries and appears reluctant to use standard diplomatic

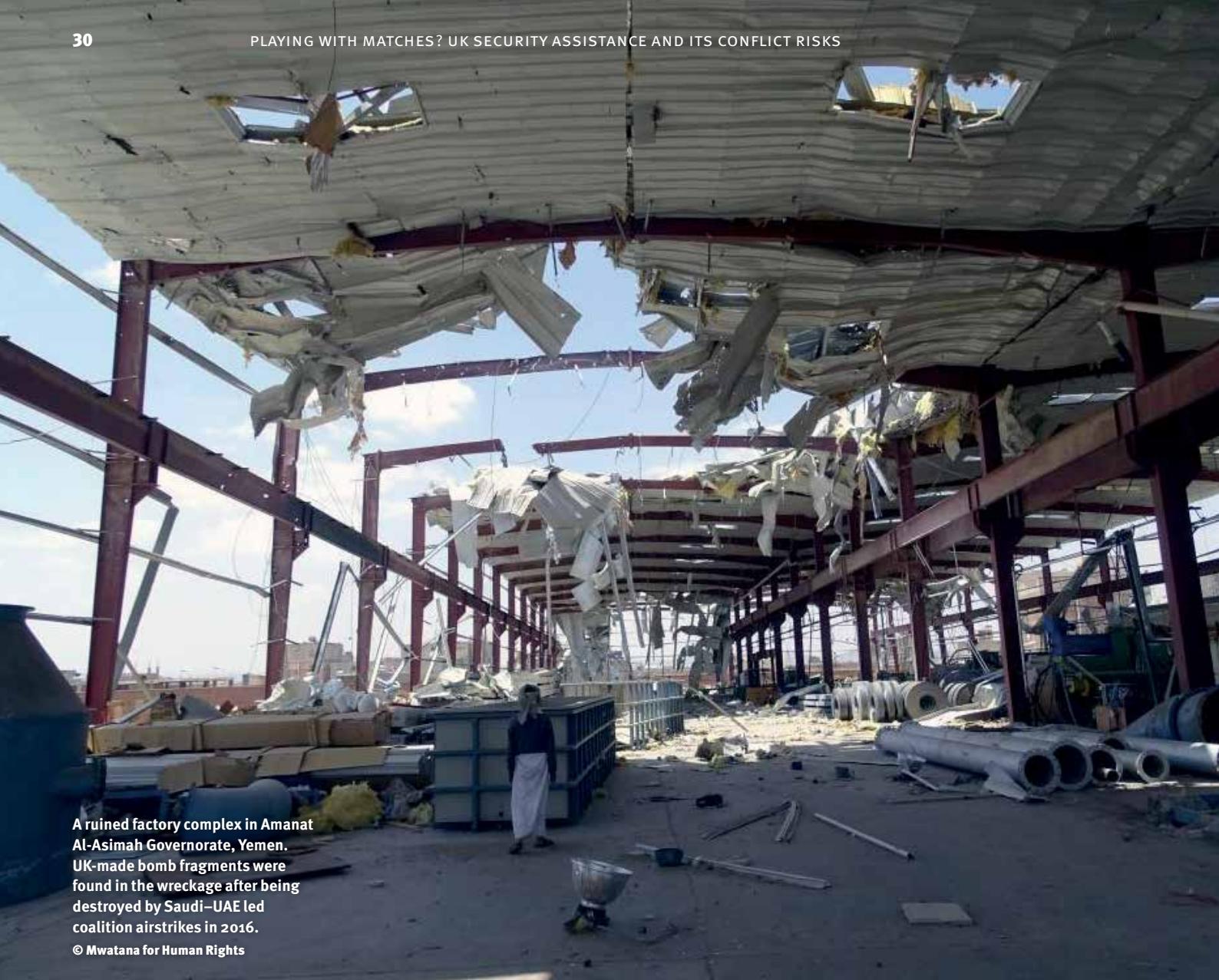
communication.<sup>173</sup> With its departure from the EU, the UK is no longer part of the relevant mechanisms that provide for this kind of information sharing between EU member states.<sup>174</sup>

#### **4.2.2 Risk 5: That provision of assistance may appear threatening to and trigger retaliatory measures by third parties**

Beyond diversion, the UK should also assess how concerned third parties may react to all forms of UK security assistance, including arms transfers. In 2018, the UK Parliament's Foreign Affairs Committee criticised the UK's approach to supporting Kurdish forces, without a greater attempt to manage the expectations of other allies. The committee noted that conflict involving newly empowered Kurdish groups in the region was likely. It thus urged the government to make its position on Turkey's offensive in Syria clear and be prepared to mediate between, and where necessary criticise, both Kurdish and Iraqi authorities.<sup>175</sup> While these tensions pre-date UK support, it is fair to ask whether the UK's strategy of security assistance included an assessment on the reaction of other allies to Kurdish empowerment, and whether any measures were taken to ease potential tensions.

### **4.3 The risks to UK security assistance policy-making**

The force-multiplying effect of equipment and training, the sometimes huge financial value of security assistance, and its focus on short-term objectives provide incentives for partners and UK entities to distort the UK's security assistance policy-making process. These risks include partners manipulating the UK to gain assistance and feeding into the corruption of institutions, both in the UK and overseas, sometimes on a grand scale. All these challenges distort the way in which security assistance decision-making is supposed to be made.



### 4.3.1 Risk 6: That security assistance partners distort UK policy-making and the effective pursuit of UK interests

Much of the West's security assistance has focused on defeating or addressing very specific 'national security threats', such as those from designated terrorist groups. In many cases, security assistance recipients, who often have authoritarian tendencies, have worked out how to 'game' their patrons and extract more assistance or obtain political cover for destabilising and abusive behaviour. Yemen's former President Saleh understood that while aid might be withdrawn due to concerns over poor governance and corruption, it would be reinstated if the West needed his help to combat a credible threat from al-Qaeda in Yemen. He deliberately allowed al-Qaeda to regroup, first to prove the threat to his Western allies<sup>176</sup> and later as a means to undermine his successor, Abdrabbuh Mansur Hadi.<sup>177</sup>

Migration has been another 'threat' that leaders in North Africa and the Middle East have exploited to exert pressure on Europe, in order to extort military assistance. In 2019, the Libyan Government of National Accord's Prime Minister, Fayez al-Sarraj, called for outside support to counter an offensive by Khalifa Haftar's Libyan National Army. He said that '800,000 illegal migrants on Libyan ground will have to leave Libya and will cross the sea towards Europe', without the support he requested.<sup>178</sup>

A different form of manipulation is when partners threaten to withdraw their security cooperation to deter criticism on other issues. For example, President Yoweri Museveni has used the threat of withdrawing Uganda's support to the African Union Mission to Somalia (AMISOM), to mute criticism of Uganda's support to armed groups in the DRC.<sup>179</sup> Similarly, the UK has also blocked publication of key reports that might be critical of its ally Saudi Arabia; these include a report into jihadist financing in Syria.

A study by the Policy Institute at King's College London found that there was more publicly available evidence of Saudi political influence over UK policy-making than vice-versa.<sup>180, 181</sup>

#### **4.3.2 Risk 7: That commercial arms sales feed into bribery and corruption in the UK and overseas**

As well as distorting UK policy-making, security assistance partnerships can create risks of institutional corruption in both the UK and overseas. The monetary value, particularly of commercial arms sales heading to regions with high instances of corruption, exposes the UK's own systems to risks of bribery and financial impropriety.

There is ample evidence that the UK has systematically failed to manage this risk. Corruption scandals have embroiled UK arms manufacturers and UK brokers on multiple occasions. Described as “the most corrupt arms deal in history”<sup>182</sup> the al-Yamamah deal between the UK and Saudi Arabia is believed by UK police to have involved £6 billion paid in bribes (see case study on Yemen and Saudi

Arabia).<sup>183</sup> Another deal involving communications equipment being supplied to the Saudi Arabian National Guard is alleged to have involved £14 million in bribes and corrupt gifts, including luxury cars for key Saudi military figures.<sup>184</sup> BAE Systems has settled bribery cases with the UK Serious Fraud Office and the US Department of Justice, accepting fines of around £238 million in relation to al-Yamamah and a deal to sell radar to Tanzania.<sup>185</sup> Rolls Royce has previously had to settle bribery charges from UK, US and Brazilian prosecutors, involving allegations of bribes totalling more than US\$91 million in commission payments disbursed in 12 countries.<sup>186</sup>

These repeated examples of corruption include multiple UK companies disbursing billions of pounds to dozens of countries over decades.

Too often, it is also alleged that UK government officials and politicians have ‘looked the other way’, failed to report evidence of malpractice or have done their best to cover up substantial wrongdoing.<sup>187</sup> This is at the expense of the UK’s reputation and the welfare of conflict-affected countries around the world.

“  
the most corrupt  
arms deal in history.”

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**"The sophisticated use of IEDs pose the greatest threat to AMISOM troops with Somalia recording the highest number of IED incidents (689) and casualties (1,575) of any country in Africa in 2019. Kenya is the 5th most-affected on the continent." Words of the British High Commissioner to Kenya, on her visit to the Kenya & UK Counter-IED training initiative in Nairobi.**

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# 5

## Areas to improve UK decision-making and safeguarding processes

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**It may be impossible to manage away the risks associated with security assistance and there may be greater risks associated with not providing it. However, there are several areas where the UK could do more to mitigate the risks to peace, rights and the UK's own security arising from the assistance it provides. Particularly considering the UK's support to Saudi Arabia, it is worth asking how a seemingly comprehensive risk-based decision-making process can come to such destructive conclusions, approving the transfer of weapons systems, despite extensive evidence demonstrating a clear risk that they will be used in breach of the UK's export criteria.**

The security assistance policy-making machine comprises a complex system of rules, procedures, actions and interests. Looking inside that machine, this section will consider misdiagnosis of global security challenges; gaps and inconsistencies in the implementation of decision-making processes; gaps in the design of those processes; and how certain highly destructive trade-offs between different considerations come to be accepted.

### 5.1

#### Diagnosing the wrong problem and reaching for the wrong tools

Gaps in the assessment of conflicts, or the prioritisation of other objectives over conflict prevention, may lead the government to over-rely on military capacity building, using institutions and tools that are not adequately set up to address long-term conflicts or effectively mitigate the risks to human rights, gender equality or IHL. To address this, the UK must have clearer guidance on halting security assistance and considering alternatives, and must address the flaws in the FCDO, Ministry of Defence (MOD) and other departments' approaches to security assistance and the wider task of conflict transformation.

### 5.1.1 Prioritising short-term objectives over longer-term transformation

The National Security Strategy of 2015 prioritised ‘Protect[ing] Our People; Project[ing] Our Global Influence; and Promot[ing] Our Prosperity’ over any clear commitment to promoting sustained international peace and security. In keeping with this hierarchy of objectives, in the UK’s assessments of many parts of the world, such as Yemen, Libya, Somalia, Mali and Egypt, the primary focus is on the presence of groups designated as terrorists, competition with foreign powers, or flows of displaced or trafficked people. Human rights abuses, local grievances and perceptions of legitimacy, and the role of clan, ethnicity and tribe, therefore tend to feature as secondary considerations. For example, as discussed below, intra-tribal conflict could have been better factored into UK strategy in Iraq; likewise, security assistance to Egypt and Saudi Arabia persists in order to sustain cooperation on counter-terrorism, in spite of their autocratic tendencies and role in violations of human rights and IHL.

Given this prioritisation of narrow security aims over longer-term risk factors, immediate, technical support to boost capabilities of state security forces can often appear an attractive option.

More ambitious investments in helping to build better governance and security provision, and transform relationships between civilians, the state and conflict actors, receive less attention.

The failure to build UK engagement around a deeper understanding of the social and political context, can radically undermine the success of security assistance missions. For example, in Yemen, Jack Watling and Namir Shabibi found that as UK-trained counter-terrorism units began raids, ‘it became apparent that some members of the unit were letting the targets know they were coming. “They were all family connected. As soon as they knew they were going, the members of the CTU

who had family members with these people were on the phone to tell them that they were being scrambled,’ recalled a British soldier working with the training programme.<sup>188</sup> Watling and Shabibi also describe how UK-supported coastguard units conducting anti-smuggling operations were completely undermined by the military and presidential-family connections of the smugglers. Without taking a more transformative approach to the political economy of Yemeni security and

governance, UK efforts to make the regime strong enough to contain security threats were unlikely to succeed.

### 5.1.2 Deficits in the promotion of human rights and gender equality

Efforts to achieve greater respect for human rights, IHL and gender equality by security forces are often attempted through ineffective security assistance training. Researchers Emily Knowles and Jahara Matisek highlighted the master’s degree-level training provided by the EUTM, covering IHL and preventing sexual violence, ‘optimistically delivered with the aim of professionalising a force with limited education levels that has been linked to numerous violations including extrajudicial killings, enforced disappearances, torture and arbitrary arrests’.<sup>189</sup> Human Rights Watch has also questioned whether enough troops actually attended African Union (AU) training about sexual violence before deploying to AMISOM.<sup>190</sup>

Most interviewees who spoke on the subject agreed that if human rights, gender or IHL training is to be provided, it should be practical and based on real-life scenarios. As one Somali researcher put it, “There should be practical scenarios when they are confronted by particular challenges, how to deal with journalists, interrogations and arrests in a human rights-compliant manner, practical cases and situations. Not the trainings I hear about, where there is a lecturer explaining human rights.”<sup>191</sup> In many cases, this sort of training is intended to mitigate potential risks of working with forces where there may be a lack of respect for human rights.<sup>192</sup> Human rights and gender-equality training in the form described is not adequate to mitigate any potential risks of human rights violations by security forces trained in other areas by the UK.

The UK military has expanded its understanding of human security, gender, peace and security, and protection of civilians. Interviewees considered the growing cadre of advisers and guidance documents, like Joint Service Publication 1325 on Human Security in Military Operations, to be positive developments. However, many of them argued that although these concepts were linked, different themes were hijacking one another. Protection of civilians and gender, peace and security, in particular, were singled out as areas that needed their own space for conceptual and practical development by the MOD, rather than being conflated. The 77th Brigade and Specialised Infantry Group were praised for their broader understanding of conflict, but several former military personnel agreed that the military needed to institutionalise a greater understanding of civilian security and outreach across the ranks of the armed forces.

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As Lieutenant Colonel Rachel Grimes, the former lead on Human Security at the MOD, put it:

“[U]nderstanding how to connect with communities and understand local conflict from the perspective of a women, man, girl or boy – which will be very different – is essential if a military wants to protect the civilians caught up in conflict. When we consider that most conflicts are now set in urban areas and civilians are now the targets, a 21st century military should be training its personnel how to interact with a civilian population. Population-centric warfare is only going to increase and we need militaries to be prepared for this, not treating it like a niche subject or only a concern for the humanitarian agencies.”<sup>193</sup>

Were this part of the UK military’s own skillset, it would be in a much better position to support partner forces with this aspect of contemporary conflict and potentially have a greater impact on long-term stability.

FCDO and cross-government planners also need to be cognisant of the limitations of the military’s role, even beyond security assistance, in addressing some of the longer-term challenges driving conflict, and instead seek alternative approaches. Gender inequality and gender-based violence (GBV) is one such area. Bringing together the military, diplomats and development professionals, the Prevention of Sexual Violence in Conflict Initiative (PSVI) championed by William Hague has continued to operate long after his departure as foreign secretary. The MOD is increasingly focusing on different contributions to this issue, including programming. But critics have suggested that some initiatives described as a contribution to preventing sexual violence in conflict, such as the UK’s self-defence training to South Sudanese women,<sup>194</sup> come across as ‘[w]hite saviourism, reinforcing victimhood’ and that they ‘do not address the root causes of violence’.<sup>195</sup> Though of possible benefit to the women trained, the approach does little overall to address the wider drivers of sexual and gender-based violence or the ways gender inequality fuels broader conflict. Robust political strategies, based on gender-sensitive conflict analysis, thorough monitoring of trends of physical and sexual violence, and specific recommendations on preventing GBV, alongside appropriate outreach, messaging, and resources for survivors, may begin to better address the causes of gender inequality (especially regarding violence by men), as opposed to solely focusing on the perceived vulnerability of women as victims without agency.

### 5.1.3 The focus on short-term activities

At present, parts of the institutions associated with UK security assistance are too focused on short-term objectives and activities. Several interviewees pointed to the MOD’s overreliance on short-term solutions. Some pointed to the strength of the former Department for International Development (DFID) expertise and strategies, with their longer-term focus on conflict transformation. Mainstreaming these in the new FCDO may give the UK a broader set of tools to reduce conflict in the long term and lead it to less risky approaches that rely less on security assistance.

While focus is often directed at the military providing training, it is worth highlighting that there are still institutional problems in other parts of government with a stake in security assistance. The Foreign Affairs Committee previously criticised the role of the Home Office in dominating strategies on migration, from which assistance to militias with dubious human rights records that formed the Libyan Coastguard stemmed.<sup>196</sup> The CSSF also continues to have very short programme cycles, despite its insistence on having a longer-term strategy. Adaptations to programming brought about by budget changes and frequent monitoring of short-term impacts can negatively impact the ability to achieve longer-term change.<sup>197</sup> Across government, the UK also outsources much of its security programming, including both security assistance and longer-term security and justice reforms, as part of a ‘technocratic, output-based approach’, with less scope for learning, adaptation and innovation in complex conflict environments.<sup>198</sup>

Overall, too often the UK national security apparatus defines conflict in ways that push it towards technical capacity building for security forces via departments with little incentive and capability to respond to the complexities of contemporary conflicts or to take a longer-term, transformational approach.

## 5.2 Holes in the design of existing measures

Beyond the broader weaknesses in the UK’s security assistance policy-making, the three largest problems with the design of existing decision-making and risk management mechanisms concern the UK’s

assessment of the political risks of security assistance, their limited engagement with the communities and civil society that are affected by insecurity, and weaknesses in the measurement of success. While the on-paper versions of most of the UK's decision-making and risk assessment tools have been praised in terms of their comprehensiveness, a small number of recurring flaws exist in the design. Even critics of the implementation of the OSJA and arms licensing processes described their design in positive terms; for example, 'The licensing system as it is set out on paper, if enforced, would make a positive contribution to peace and security.'<sup>199</sup> JACS has also been positively described by other experts who are familiar with it.

Both OSJAs and the arms licensing systems take a largely legalistic approach to assessing the direct harm of assistance to a particular recipient. While having many strengths, the downside is that there is less room for assessing the risks to the politics of a recipient country and peace itself (identified above), such as reinforcing the dominance of an ethnic group or political faction being interpreted as a message of friendship to an authoritarian regime, or being manipulated by canny political operators. As Oxford Research Group's Liam Walpole and Megan Karlshøj-Pedersen argue, the OSJA process focuses on the reputational risks of a breach taking place rather than risks to the political dynamics of a country. They also criticise OSJA for not pointing officials away from security assistance as an option, by either setting out clear guidance on when to halt training missions in the face of growing risks or laying out alternative methods of achieving UK aims such as peacebuilding.<sup>200</sup> A greater appreciation of the role of non-state security providers – and consideration of how to support them to adopt benign roles where appropriate – may also be an important way for the UK to improve people's experience of security in more context-appropriate ways.<sup>201</sup>

One official suggested that while the idea of the political legitimacy of the security assistance recipient may be taken into account by programme staff, such analysis did not feature in documentation for the programme.<sup>202</sup> Officials working on arms transfer authorisations suggested that those sorts of considerations were for wider policy tools but, in the context of arms transfers, could 'start to look like sanctions'.<sup>203</sup> The OECD-Development Assistance Committee's (DAC's) Gender Equality Marker which is used to grade CSSF spending, is helpful but has some flaws. It is apparently 'hated in government', because it fails to distinguish between a programme that, for example, trains women in a military force and an approach seeking to transform the behaviour of security forces who may engage in gender-based

violence. Despite this flaw, critics did say it needed to be used;<sup>204</sup> however, clearly the UK needs to make greater use of politically transformative approaches to gender equality.

A greater appreciation among decision-makers of the political impact of UK security assistance could potentially be achieved through engagement with communities and civil society within the recipient country, prior to the design and delivery of a programme. Despite occasional commitments, this is still a low priority for many parts of government. Walpole and Karlshøj-Pedersen note the support for government consultation with civil society in the government's own stabilisation guidance. However, their work has suggested that 'The processes of updating both the UK's POC [Protection of Civilians] Strategy and the JSP 1325 appear to have included little engagement with groups and organisations in countries where the UK operates'.<sup>205</sup> Incorporating the views of civil society and communities in the locations where security assistance is delivered could strengthen JACS, OSJAs, and cross-government guidance, strategy and learning. As recommendations on security and justice produced by Saferworld for the UK government make clear, design processes should understand 'how women, men, young people and different identity groups experience (in)security; how security and justice is currently accessed; who the key providers are; and how they interact. What solutions do people directly affected by insecurity and injustice propose?'<sup>206</sup> Saferworld and other organisations have also produced tools for gender-sensitive conflict analysis, including consultation with women in conflict-affected countries.<sup>207</sup>

The UK's approach to measuring the impact of security assistance on stability within a given context is still too focused on activities rather than outcomes. Abigail Watson and Megan Karlshøj-Pedersen identify several challenges which resonate with the findings of this report: inconsistencies between departments; different international approaches to security assistance; a focus on building influence over addressing insecurity; and that monitoring, evaluation and learning (MEL) efforts do not take into account the views and experiences of communities affected by security interventions.<sup>208</sup>

Interviewees admitted that monitoring, evaluation and learning was a weakness in the Ministry of Defence compared to established expertise in the then-DFID and the FCO. But improvements are slowly being made at the programme level, with the 77th Brigade taking steps to build MEL expertise and the CSSF encouraging the teams of trainers it supports to develop better MEL frameworks.<sup>209</sup> On occasion, 'deep dives' are commissioned, wherein external

consultants conduct evaluations to assess the impact of military capacity building in more detail. These include independent consultants engaging host nation militaries, as well as local nationals, to assess whether UK training is having an impact on the provision of security and treatment of civilians. However, one soldier suggested that various factors, including logistical and security challenges, meant conducting such thorough analysis on the impact of UK military capacity building was not always feasible.<sup>210</sup> Whether the UK's MEL has shifted adequately, from a focus on the delivery of activities and perceptions of those trained to a consistent and frequent focus on understanding the wider contribution of training and supported units to stability, remains to be seen. Understanding the longer-term impact on stability and the factors that drive conflict remain the biggest holes in the design of measures assessing the risks of security assistance. Solving this problem also means having a greater focus on stability and peace in the objectives set for UK interventions, as the next section discusses.

## 5.3 Inconsistencies in the implementation of existing measures

Greater advancements in the UK's approach to peace and security could also be made quickly, by improving the delivery of the positive aspects of the system of risk assessment and analysis processes that do exist. These include improving the consistency of decision-making; the timeliness of analysis, including understanding conflict and gender dynamics; and the coordination between different parts of government. Arms sales provide the starkest examples of inconsistencies in decision-making, with grave consequences. In some cases, there is evidence that licensing policy and practice does respond to changes in assessed risks, leading to licences that were formerly granted being rejected. Yet in other cases, there is overwhelming evidence of UK arms exports being used in breach of UK export criteria, while the same types of arms continue to be approved for transfer to the same users. As authoritarian leaders reacted violently to the Arab Spring in 2011, licence rejections on the grounds of criteria designed to guard against internal repression increased.<sup>211</sup> Later, arms sales to Libya decreased rapidly as civil war broke out and

intensified.<sup>212</sup> More recently, the FCO announced a temporary halt in licences for crowd control equipment to the Hong Kong police. These examples show how the licensing system can respond flexibly and rapidly to changing circumstances and heightened risks. However, in the case of Saudi Arabia – the UK's largest arms export market – the persistent lack of any such responsiveness is alarming. This inconsistency is glaring in the UK's most recent strategic export controls report, where the UK's concerns for human rights and fundamental freedoms in Hong Kong are juxtaposed on the same page as a whitewashing of the UK's approach to repeated violations of IHL in Yemen.<sup>213</sup>

Evidence suggests that the consistency, uptake and mainstreaming of certain analysis and risk assessment processes is improving. However, some gaps remain. In 2018, the Independent Commission for Aid Impact (ICAI) criticised some of the earlier national security strategies for not providing an adequate framework for programming. It also criticised Overseas Security and Justice Assessments (OSJAs) for their inconsistent quality and pointed out that gender-mainstreaming efforts often did not survive implementation. This study covered the aid-funded components of CSSF, which included some of the training involved in security assistance.<sup>214</sup> ICAI's 2019 follow-up identified rapid improvements in risk assessment and conflict-sensitivity measures.<sup>215</sup> A 2019 audit of OSJAs suggested most were of good quality, but one official who saw the audit said it found that a few OSJAs were either done too quickly or were not updated as conflict dynamics and security actors changed, meaning they had not considered risk fully over time.<sup>216</sup>

A related issue is whether key aspects of conflict dynamics are picked up too late to be mitigated. The annual review of the CSSF's Iraq programme (which includes a security sector reform component) highlighted inter-tribal conflict as a key issue that needed to be understood for future programming. It also recommended that gender and conflict sensitivity needed strengthening.<sup>217</sup> Similarly, in the same year, the UK's review of its Lebanon programme (including support to the Lebanese Armed Forces) highlighted conflict sensitivity as an area that had been improved but which required further work.<sup>218</sup> Iterative learning, with changes in strategy and activities informed by such learning, must be a part of any conflict approach intended to decrease instability. These examples from Lebanon and Iraq, along with previous reports by the Joint Funds Unit,<sup>219</sup> suggest this is now happening.

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**This inconsistency is glaring in the UK's most recent strategic export controls report, where the UK's concerns for human rights and fundamental freedoms in Hong Kong are juxtaposed on the same page as a whitewashing of the UK's approach to repeated violations of IHL in Yemen.**

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Although it could be questioned why issues such as understanding tribal conflict in Iraq were not factored into UK security assistance to the countries at an earlier stage?

Within the existing system, gaps in communication and coordination between different departments, between civilians and the military, between London and diplomatic posts, and between deployed teams, is another area where effective risk management can fall down. In several cases, information exchange has been inadequate. At the training delivery level, soldiers have reported feeling they are 'operating in a political vacuum', lacking clear guidance on the UK's strategy in-country or unable to report when the strategy is not working.<sup>220</sup> Interviewees also largely praised the UK's Joint Analysis of Conflict and Security (JACS), but a few commented that they varied in quality. Others found JACS too high level and indigestible to be useful tools for sharing context analysis with the MOD and military trainers. The MOD is hoping to address this problem by distilling JACS and other documents into a Conflict Analysis of Root Drivers/Causes and Sensitivity, framed for specific capacity-building missions.<sup>221</sup>

Coordination with other nations to ensure a coherent approach to delivering multilateral or bilateral security assistance has also been an area of weakness, undermining the strategic impact of security assistance.<sup>222</sup>

In addition, communications gaps exist in arms licensing. One official familiar with the process pointed to problems in information sharing to jointly assess the links between different risks.<sup>223</sup> As is the case with the training aspects of security assistance, the theory of joined-up government is institutionalised but often relies on motivated individuals to ensure that it is properly implemented.

## 5.4 Deliberate gaps allowing destructive consequences

Too often, the opacity of high-level security and commercial decision-making around security assistance has allowed gaps for cynical decisions, corruption and bribery, with negative implications for peace and human rights. Although many officials are committed to improving the impact of security assistance, at times damaging trade-offs have been made. These risk causing probable harm, as the necessary price for pursuing wider UK objectives. Sometimes, there are no risk-free options: for

example, should the UK do nothing as a violent armed group expands its control or should it train an abusive security force to push it back? In the long term, one may ask whether upstream interventions based on peacebuilding, reconciliation or addressing marginalisation may have avoided the ‘impossible’ choice altogether. But when faced with immediate dilemmas, as Saferworld has previously argued, ‘Officials should be given clarity on what priority takes precedence, required to document why they decide on a particular trade-off, and have processes for revisiting decisions, publicly disclosing details where possible,’ to allow for learning lessons and further scrutiny.<sup>224</sup>

At present, the evidence in this report suggests that, in some instances, trade-offs are deliberately made to de-prioritise peace and human rights in order to achieve other ends. Given the opacity of government decision-making on security assistance, it is hard to ascertain precisely where, how and by whom decisions to make such trade-offs and accept the risks are made. This is particularly the case where concerns regarding ‘national security’ or ‘commercial interests’ are cited. The fact that UK JACS and national security strategies on specific countries and themes remain unpublished, makes it hard to understand which factors are considered and which are ignored.

The arms licensing process is perhaps the area of most concern. How is it that, with such ample evidence of corruption and violations of the Consolidated Criteria, arms sales continue to Saudi Arabia? Serious Fraud Office investigations into the infamous al-Yamamah arms deal with Saudi Arabia were suspended after pressure from then-Prime Minister Tony Blair in 2006. A 1992 National Audit Office (NAO) investigation into the deal remains the only NAO report never published.<sup>225</sup>

Arms sales transferred under al-Yamamah’s successor were challenged in court by the Campaign Against Arms Trade in 2017. The government’s response to a suspension of new licences imposed by the consequent Court of Appeal judgement in 2019, is of particular concern: following a revision of its methodology, the government concluded that arms export licensing could resume on the grounds that there was no *pattern* of IHL violations. This was despite conclusions to the contrary by credible external investigators. In addition, the risk threshold for refusal established by the Consolidated Criteria governing arms exports licensing is a single serious violation, not a pattern. The government has refused to publish any detail of its revised methodology, amid ample evidence of continuing violations of IHL.<sup>226</sup>

The arms export control system has checks and balances. Yet the UK Government using this system

has still concluded that arms sales to Saudi Arabia can continue – despite all the evidence that they are in breach of the criteria. In too many places, there is room to manoeuvre around the criteria. As seen in the response to the case brought by the Campaign Against Arms Trade, the government has the flexibility to design its own methodologies, through which departments determine if the criteria have been breached. Nor is the government under any obligation to publish the methodologies for independent scrutiny.

If a government department does raise a concern about a breach of the Consolidated Criteria, there are also multiple points at which this can be overruled. Potential rejections within the process may be overruled by other government departments. After departments are consulted, the Department for International Trade presides over a meeting to discuss potential rejections. Officials admitted that, although rare, recommendations to reject a licence could be changed, for example, after reviewing the evidence and rationale for a recommendation. Where there is no consensus across departments between officials, the licence decision is referred to ministers across relevant departments; however, the final decision rests with the Secretary of State for International Trade. One official suggested that, when seeking to build consensus in this way, they must work to ensure that the Secretary of State is not exposed to legal complaints by the licence applicant.<sup>227</sup> This focus was rather than any presumption, where one department recommends a licence rejection, to deny the licence and protect potential victims of human rights abuses and IHL violations. Despite all the opportunities for agreeing the licence, if there is a rejection, the exporter still has the right to appeal.

The flexibility to set opaque methodologies and repeatedly visit any concerns that arise leaves gaps in a system that – at least on paper – looks rigorous. These gaps create space for the UK to circumnavigate safeguards and put commercial and ‘national security’ interests ahead of peace and the human rights of those who risk being harmed by UK-supplied arms.

## 5.5 Transparency

The Government publishes several documents each year which provide glimpses into UK security assistance. However, there are numerous areas where greater transparency and scrutiny is feasible.

Key sources that give some insights into the UK's security assistance include:

- CSSF programme summaries and summaries of annual reviews.
- MOD and military press releases and social media accounts. Many teams and units have their own social media accounts; for example, the British Peace Support Team's Twitter presence.
- Annual reports by the Ministry of Defence, CSSF and Export Control Joint Unit (Strategic Export Controls annual report).
- Data on export licences granted for military and dual-use goods are also released. The Campaign Against Arms Trade's interface for this data is considerably more user-friendly than the Government's.<sup>228</sup>

There are some improvements that can be made to this documentation. Particularly important would be ensuring there is more information in annual reports on the objectives, trade-offs, contextual and operational challenges, and lessons associated with security assistance. However, the greatest advances could be made in making public versions available of OSJAs, JACS and country or thematic national security strategies. While there are many legitimate reasons why elements of these strategies might remain confidential, redacted or summarised versions could be published. Documents could be shared with organisations delivering programmes in conflict-affected countries, so they know what objectives they are working towards (something which doesn't happen where a national security strategy is active),<sup>229</sup> and with parliamentary committees scrutinising UK policy in conflict-affected countries. In 2018, the Cabinet Office's Capability Review of the Cross-Government Funds committed to making public versions of country and thematic strategies;<sup>230</sup> however, despite a further ministerial commitment to do so in 2019, this has not happened.<sup>231</sup>

On arms export controls, the methodology for assessing whether there is a risk of IHL violations by Saudi-led coalition forces in Yemen should be published. Information on the deliveries against open licences, which cover arms sales to a number of countries, including Saudi Arabia, should also be published. This should include the type and volume of equipment delivered and the end-user.

The use of special forces, which reportedly sometimes provide security assistance is another area that remains poorly scrutinised (even after operations are completed) in terms of the strategies

and trends underpinning the UK's overall use of special forces.<sup>232</sup> Even if accounts of special forces' activities cannot be made publicly available, there are other options for improving scrutiny.

Without this information, it is difficult to ascertain the balance between activities that provide leadership support or operational training and broader reform efforts to transform security forces into responsible agents accountable to civilian structures.

## 5.6 Reforming the UK's approach to security assistance

The problems laid out in this chapter point to key gaps in the UK's practice of security assistance and the decisions leading to its use. The solutions therefore lie in both improving the delivery of security assistance and, crucially, finding alternative solutions to achieve goals. Improvements in practice should include risk assessment, mitigation, and monitoring, evaluation and learning. Improvements in decision-making are also needed – for example, consulting with communities and civil society on where interventions may take place and analysing the political impact of security assistance. The arms export control regime should be used in better faith, and there are steps which could be taken that would assist this culture change. These include publishing methodologies for assessing the Consolidated Criteria and releasing information on end-users, and on deliveries and exports under open licences. Improving security assistance is not the only solution. There must be clearer guidance on when to halt security assistance or the need to consider alternative activities, including security sector reform or civilian-led peacebuilding. Many of these issues could be improved if the UK's review of its conflict approach<sup>233</sup> leads to a clear strategic framework which prioritises peace at the top of a hierarchy of objectives and sets out a comprehensive approach to achieving it – to be adapted in each context the UK seeks to engage in. Finally, there are obvious areas where transparency and accountability can be improved, balancing the need for scrutiny with security sensitivities.

## Notes

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- <sup>200</sup> Walpole L, Karlshøj-Pedersen M (2020), 'Forging a New Path: Prioritising the Protection of Civilians in the UK's Response to Conflict', Oxford Research Group: Remote Warfare Project, July, p 18 (<https://www.saferworld.org.uk/resources/publications/1296-forging-a-new-path-prioritising-the-protection-of-civilians-in-the-ukas-response-to-conflict>)
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- <sup>202</sup> Saferworld interview, official working for the CSSF, 29 July 2020.
- <sup>203</sup> Saferworld interview, official in the UK Export Control Joint Unit, 29 June 2020.
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Nigerian soldiers receive military theory training from British soldiers (not pictured) during Flintlock 2014, a US-led international training mission for African militaries, in Diffa, 3 March 2014.

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# 6

## Conclusion

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**The events surrounding Baidoa, Somalia, in December 2018, highlighted in the introduction, demonstrate that the UK is alive to some of the immediate risks inherent in equipping and training security forces in a complex conflict setting, where adherence to rights and civilian oversight is limited.**

UK-trained Somali National Army personnel were not implicated in violence against protestors on this occasion, and UK training may have played a role in the Somali National Army's restraint. But important political questions remain about whether enough is being done to consider the broader political tensions in Somalia. To an extent, the risks that played out in the Baidoa example are typical of the dilemmas surrounding UK security assistance: concerns about the possibility of violations by UK-trained units are present wherever it is provided, from Libya to Nigeria and Yemen. However, considering UK experiences in contexts such as Somalia, Egypt, Mali and Saudi Arabia, it is clear that the risks of providing security assistance extend well beyond potential abuses being committed by UK-trained units.

Risks related to security assistance identified in this report include:

1. that assisted forces commit human rights and IHL violations
2. that security assistance emboldens or legitimises authoritarian and abusive behaviour by recipient states or groups
3. that assisted forces pursue agendas at odds with UK interests
4. that equipment gifted or sold could be diverted to parties other than the intended recipient
5. that provision of assistance may appear threatening to and trigger retaliatory measures by third parties
6. that security assistance partners distort UK policy-making and the effective pursuit of UK interests
7. that commercial arms sales feed into bribery and corruption in the UK and overseas

On paper at least, the UK has a range of comprehensive tools to assess and mitigate many of these risks and ensure conflict and gender sensitivity. However, in many cases, there are clear areas where the UK's approach needs improvement:

- in the consistency and uptake of measures
- in communication between government officials
- because of a lack of proper analysis of the risks to the politics, governance, development and peace of a recipient society
- due to a failure to consult conflict-affected communities and civil society
- due to inadequate methods of measuring impact
- in how shorter-term objectives to counter-terrorism, reduce migration and contain regional rivals narrow the understanding of conflict and how it can be reduced
- because of institutional limitations of key government bodies involved
- due to holes in risk mitigation structures, which allow for destructive trade-offs to the detriment of peace and rights

The UK's recently published Integrated Operating Concept includes a desire to continue security assistance: 'Building partner capacity through train, advise and assist operations strengthens coalitions, enhances regional security and provides an alternative to the offers of our adversaries, by securing influence and denying it to them.'<sup>234</sup> The new Defence Command Paper further underscores these commitments.<sup>235</sup> Thus, the UK's use of security assistance, and the dilemmas involved in trying to avoid the risks to peace and rights, are likely to continue.

Such risks are also increasingly visible: in the wake of the #EndSARS protests, the UK's admission that it had trained SARS officers catapulted some of the risks associated with security assistance into the public consciousness; the same is true of UK supplies of policing equipment to security forces involved in cracking downs on peaceful protests in Hong Kong and the US. Public protests against authoritarian regimes, from the Arab Spring to the more recent Sudanese revolution, can rapidly place the UK on the wrong side of history: clearly, given its interest in promoting open societies and conflict prevention, it is not in the UK's long-term interest to back security forces in abusive and undemocratic clampdowns on peaceful movements for democratic change.

As this report has noted, 'playing with matches' by providing security assistance in conflict-affected and fragile countries does carry risks of igniting conflict, violence, and violations of IHL and human rights. In some contexts, this means that the UK should halt support and find alternative ways to advance peace and rights. At the same time, simply withdrawing training in difficult contexts may not be desirable if the UK can prove it is having a transformative effect on partners' behaviour, peace and rights. To support stability in conflict-affected environments, the UK needs to: strengthen the connection between security

assistance strategies and wider goals of preventing conflict and promoting open societies; enhance its ability to assess and avoid risks, building on some of the safeguards it already has in place to manage the risks of using dangerous tools in volatile environments; and plug gaps in transparency.

## Recommendations to the UK government

- Contribute to addressing the issues driving conflict, including improving governance:** The UK's approaches to conflict need to be guided by clear objectives and theories of change. The framing and analysis of conflict must be comprehensive and consider the root causes and issues driving it. Where UK security assistance is used, it should contribute to addressing the drivers of conflict – including improving state–society relations and governance. At the very least, it should be conflict sensitive, with continuous assessment and adaptation as circumstances change.
- Improve the consistency and quality of decision-making:** The UK's efforts to join up and increase the consistency and quality of analysis, decision-making and the application of risk assessment measures affecting security assistance practice should continue. In cases where there is a clear risk of breaches of the Consolidated EU and National Arms Export Licensing Criteria ('the Consolidated Criteria'), the UK must not authorise arms sales. This includes refusing any further arms export licence applications for the export of equipment to Saudi Arabia for use in Yemen and halting deliveries of previously authorised transfers. A rigorous approach should be applied across the board; examples of other circumstances where existing practice may be too lenient include a range of licences for sniper rifles and assistance to Egypt. Particularly post-Brexit, the government needs to ensure there are clear protocols for sharing information with European and other partner governments in real-time about denials of arms export and brokering licences, and acting on concerns raised by these partners.

- Assess the political impacts and consult those affected by interventions:** The UK must make greater efforts to assess the impact of UK security assistance on the politics and governance of recipient countries in processes such as Overseas Security and Justice Assessments (OSJA), as well as broader continuous conflict sensitivity planning. Could recipient authorities or local populations view assistance as a tacit blessing or encouragement of problematic behaviours? Could third parties feel threatened or be provoked by UK assistance? To improve analysis and decision-making, all departments should ensure that communities and

civil society affected by conflict and working on peace and rights are consulted in conflict analysis, strategy development, and in the design, monitoring, evaluation and learning phases of security assistance programmes. Guidance for Joint Analysis of Conflict and Security (JACS), OSJAs and other processes should be amended to take these points into account.

- **Consider alternative approaches:** The UK should be more prepared to avoid or halt security assistance and place greater emphasis on alternative approaches, including security sector reform that reinforces accountability and responsible security provision; promoting civilian, judicial and parliamentary oversight of the security sector; rights promotion; and wider peacebuilding and conflict-prevention efforts, such as community security programming, dispute resolution and dialogue.

### ■ Improve transparency accountability and learning:

The UK can also make improvements to transparency, while maintaining necessary security considerations without compromising on security. Public versions of country and thematic national security strategies should be published. Greater details of cross-regional security assistance programmes should be released. Parliamentary oversight of the strategic use of special forces should be improved. Where trade-offs between options for UK actions with higher risks are unavoidable, there should be greater guidance given to officials on how to make decisions, as well as proper record-keeping, regular review of these decisions, and appropriate public and parliamentary scrutiny. As mentioned above, learning can be improved with external engagement with experts and affected communities.

## Questions for scrutinising UK security assistance

This paper highlights several risks with UK security assistance; however, in each case the nature of these risks will vary. To understand them – and whether the UK is effectively mitigating them – researchers, parliamentarians, journalists and non-governmental organisations (NGOs) seeking to scrutinise such activities need answers to the following questions:

- Conflict analysis
  - When: When was the last conflict analysis undertaken?
  - Who: Did it engage communities and civil society from the recipient country? Did it analyse gender aspects and gender norms?
  - What: What are the UK's objectives in the country or thematic national security strategy in question? Is the UK aiming to promote peace, gender equality, human rights and development? How will security assistance contribute to/undermine these?
- Overseas Security and Justice Assessments (OSJA)
  - When: When was an OSJA last made?
  - Who: Did it engage communities and civil society from the recipient country?
  - What: Have the potential political and governance risks within the recipient or affected societies been assessed? What human rights mitigation steps have been taken? Have alternative approaches, such as security sector reform, promoting civilian oversight or peacebuilding, been considered?

### ■ Post-assistance

- How: How was the impact of the security assistance assessed and monitored?
- How: Has security assistance contributed to or left groundwork for longer-term and sustainable peace and security?
- Who: Were communities, civil society, women, youth and other disadvantaged groups from environments where partner forces are deployed consulted?
- What: What worked and what did not work and how has this been communicated to other stakeholders?
- When: Why did the security assistance end? If there have been allegations of wrongdoing by trained units or increased risks, was security assistance halted? If not, why and what other adaptations were made?

### ■ For arms (in addition to specific questions on the context)

- What: Were recommendations to reject licences made by any department at any stage of the licence application?
- Why: If so, what were the reasons, have they been overruled and, if so, why?
- Who: Were Foreign Commonwealth and Development Office (FCDO) conflict or human rights advisers at post consulted in the licensing process?

## Notes

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## About Saferworld

**Saferworld is an independent international organisation working to prevent violent conflict and build safer lives. We work with people affected by conflict to improve their safety and sense of security, and conduct wider research and analysis. We use this evidence and learning to improve local, national and international policies and practices that can help build lasting peace. Our priority is people – we believe in a world where everyone can lead peaceful, fulfilling lives, free from fear and insecurity. We are a not-for-profit organisation working in 12 countries and territories across Africa, Asia and the Middle East.**



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