

Statement by Cesar Jaramillo, Executive Director, Project Ploughshares  
House of Commons' Standing Committee on Foreign Affairs and International Development  
December 10, 2020

Members of the Committee,

Contrary to government claims, Canada does not have one of the strongest export controls systems in the world.

This is not a matter of opinion or interpretation. The annual reports on Canadian military exports prepared by Global Affairs Canada confirm an unassailable fact: today, most Canadian arms exports help to sustain autocratic regimes, perpetuate armed conflict, or enable the violation of human rights.

A recent example concerns Canadian military exports to Turkey. Optical sensors produced in Ontario by L3Harris WESCAM have been found in numerous conflict zones including Syria, Iraq, and Libya. Most recently, they were used by Azerbaijan in attacks against Armenian targets in Nagorno-Karabakh. These exports pose a substantial risk of violations of human rights and international humanitarian law. In the case of Libya, they constitute a blatant breach of an arms embargo imposed by the UN Security Council.

Canada's suspension of arms exports to Turkey following reports of misuse was welcome and necessary but, if recent history is any indication, it could well be short-lived.

This was the fourth time in just over three years that Canada has announced the suspension of export permits to a country accused of violating international law. Two of the incidents involved Saudi Arabia, the top destination for Canadian arms exports, and one of the worst violators of human rights on the planet.

Each time the suspension was eventually lifted when the media scrutiny had died down. In the case of the Saudi exports, the suspensions did not stop a single export because they only applied to future permits.

The troubling reality is that the Canadian arms industry has become alarmingly linked with disreputable regimes that are engaged in some of the world's most devastating conflicts. We are aware that this view clashes with the carefully crafted government discourse on the high standards of rigour and transparency that purportedly inform Canada's arms export decisions. But the evidence is sturdy and compelling.

The world is taking notice. In September, a Group of Eminent International and Regional Experts on Yemen, mandated by the United Nations Human Rights Council, issued a report that confirmed not only the pattern of human-rights abuses by all parties to the conflict, but also the role that Canada and other arms exporters to the warring parties have played to perpetuate the crisis.

There is a clear gap between rhetoric and practice around Canadian arms exports, and it is high time for strict Parliamentary oversight of this important aspect of Canadian foreign policy. A place to start might be the establishment of a subcommittee of this Standing Committee on Foreign Affairs and International Development to ensure compliance with domestic and international law, including Canada's obligations under the Arms Trade Treaty.

Statement by Kelsey Gallagher, Researcher, Project Ploughshares  
House of Commons' Standing Committee on Foreign Affairs and International Development  
December 10, 2020

Members of the Committee:

Thank you for having us today.

In recent years, Canada has exported large volumes of Canadian-made L3Harris WESCAM surveillance and target acquisition sensors to Turkey for use by the Turkish military.

These sensors are primarily attached to the underside of aircraft, including drones, and are used to surveil potential targets on-the-ground. However, they should not be mistaken for mere “cameras.” The variant of Canadian-made sensors exported to Turkey, the WESCAM MX-15D, is also fitted with a laser designator. This component directs munitions towards their targets and is vital to launch modern airstrikes.

The majority of Canadian-made sensors exported to Turkey are used on the Turkish Bayraktar TB2 drone, and have seen extensive use in combat across several conflict zones. Turkey has also provided them to allied actors in Libya and Nagorno-Karabakh.

Turkey's provision of WESCAM sensors to its allies is a textbook example of diversion, which is the illicit transfer of weapons systems to unauthorized users. The case of Canadian weapons being diverted to the conflict in Libya is particularly troublesome, as this also constitutes a breach of the almost decade-old UN arms embargo against that country.

Diversion is prohibited under the Arms Trade Treaty, to which Canada is a party. As such, the government of Canada is obligated under international law to stem the illicit diversion of weapons systems, which would indisputably apply to the case of Turkey.

Whereas Canada's temporary suspension of arms exports to Turkey is a step in the right direction, this move is long overdue. According to a UN report published last year, since at least May 2019, Turkey had been diverting drones to Libya—including the Bayraktar TB2, that is invariably equipped with Canadian-made WESCAM sensors. These findings alone should have made clear the substantial risk associated with these arms exports.

Given Turkey's brazen behaviour in Libya, it should have come as no surprise to Global Affairs Canada that the same Canadian weapons would also be found illicitly fueling the war in Nagorno-Karabakh. By all accounts, Turkey's provision of weapons to Azerbaijan substantially influenced the outcome of that conflict.

To satisfy its obligations under international law, the government of Canada should move to fully cease the further export of such weapons systems to Turkey, or run the risk of non-compliance with the international arms control frameworks it has voluntarily acceded to.