Why Saudi Arabia's Human Rights Record Does Not Matter

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ANNA VIDEN, OCT 22 2015

No, the Obama administration does not seem to be concerned that Saudi Arabia, a well-known human rights culprit, has been appointed to chair a key UN human rights panel. The lack of reaction is surprising, especially since the announcement coincided with the news of the imminent execution and crucifixion by Saudi authorities of the Shia activist Mohammed al-Nimr. In fact, the State Department's Deputy Spokesperson, Mark Toner, affirmed in an exchange with AP's Matt Lee on Sept. 22 that they [the Obama Administration] "would welcome" the appointment, referring to the close alliance between the United States and the Kingdom of Saudi Arabia. Possibly suggesting that the appointment is an occasion to "lure" Saudi Arabia into human rights compliance, he declared that it might lead the Saudis to "look at human rights around the world but also within their own borders".

However, nowhere is the U.S. human rights dilemma as clear as in the United States' support for the Saudi led air-war in Yemen, which has provoked massive destruction in terms of human lives and infrastructure. The U.S. is framing its support as security and stability promotion in the context of increasing extremism originating from non-state actors such as the Islamic State (IS) and Al Qaida. It also fits with the Obama administration's policy of disengagement from the region and the decision in this context to increasingly rely on regional partners such as Saudi Arabia. While President Obama in his UN General Assembly speech criticized the Assad regime for using barrel bombs, the Obama administration has said that Saudi Arabia can use cluster bombs but only against military targets. The problem is that Saudi Arabia does not seem to comply with these instructions. As a result, the Obama administration is demonstrating increasing wariness, especially as it is facing mounting questions from Congress, UN officials and the larger international community concerning civilian casualties in Yemen.

At the same time, Saudi Arabia is actively seeking to "fend off U.N. inquiry on Yemen". A resolution submitted to the UN Human Rights Council (UNHRC) on Sept. 24 by the Netherlands and supported by a group of Western countries demanded that the UN High Commissioner for Human Rights be sent to Yemen to investigate the increasing civilian casualties. According to the Human Rights Commissioner, Zeid Ra'ad al-Hussein, at least 1,527 civilians were killed and 3,548 injured between late March and the end of June. Nick Cumming Bruce suggests that "Saudi Arabia and its coalition partners have waged a vigorous diplomatic campaign to squelch calls for an international inquiry", "robustly lobbying Asian, African and European states through their capitals or missions in Geneva". The United States apparently is lending Saudi Arabia and its coalition partners a helping hand. On Sept. 9 the United States blocked a proposal in a U.N. Security Council sanctions committee hindering the committee's chair, Lithuanian U.N. Ambassador Ramonda Murmokaite, from approaching "all relevant parties to the conflict and stress their responsibility to respect and uphold international humanitarian law and human rights law".

The Human Rights Council, which consists of 47 member states, is elected by secret and direct ballot by the majority of the members of the UN General Assembly. While elections take place annually, the membership is limited to three years and members are not eligible for immediate reelection after serving two consecutive terms. The membership is based on equitable geographic distribution and seats are distributed among the following five regional groups: African states (13), Latin American and Caribbean states (8), Asia Pacific states (13), Western Europe and other states (7) and Eastern European states (6). Saudi Arabia, whose current membership ceases in November 2016, was elected together with Algeria, China, Cuba, France, Maldives, Mexico, Morocco, Namibia, Russian Federation,

South Africa, The Former Yugoslav Republic of Macedonia and the United Kingdom and Vietnam in November 2013.

What sparked the current controversy is Saudi Arabia's appointment to the UNHRC's consultative group. This group, which is made up of five members, one from each of the five regional groups, is tasked with interviewing and recommending candidates – the "special rapporteurs"- whose job it is to examine specific human rights challenges and to make non-binding recommendations to the human rights council. These appointments are essential in the sense that they help establish norms about the respect, the protection and fulfillment of human rights. From this perspective, the appointment of Faisal Trad, Saudi Arabia's ambassador to Geneva, to Chair an important human rights panel is indeed surprising. According to Salil Tripathi (part of a team of experts related to Columbia University's Global Freedom of Expression and Information Initiative), the controversy is understandable given that it [Saudi Arabia] "would get to recommend experts who may not be experts, or whose understanding of human rights are at variance with the vast majority who cares about human rights."

However, Agnes Callamard, director of Columbia University's Global Freedom of Expression and Information Initiative, believes that "the global fury is directed at the wrong target". The more pressing issue is to investigate how the country got elected to the UNCHR in the first place. According to her, it is not human rights but realpolitik that prevails within the UNHRC and prompted the election of Saudi Arabia. Countries such as China, Russia, Cuba and Algeria, but also Western countries such as the United States, which like Saudi Arabia often are the targets of potentially damaging human rights allegations, have an interest in allying itself with countries with similar profiles as suggested by Saudi Arabia's efforts to fend off UN inquiry into its war in Yemen. Indeed, human rights panels are often "toothless" since the targeted countries can refuse to respond to specific allegations of human rights abuse and deny the "human rights rapporteurs" access. Saudi Arabia's appointment therefore is a boon since the Kingdom by no means is the only human rights abuser among the UNHRC's 47 member states.

The story of how Saudi Arabia got elected to the UNHRC seems to fit the realpolitik argument. If in theory the United Nations General Assembly's role is to consider the candidate states' contribution towards promoting human rights and their human rights commitments, clearly such considerations were not at play in Saudi Arabia's case. Leaked diplomatic cables, mentioning a secret vote-trading deal between Britain and Saudi Arabia to ensure that both states were elected to the UNHRC in the context of the upcoming June 2013 elections, support the realpolitik argument. The fact that British Prime Minister David Cameron recently has come out strongly urging the Saudi government not to go ahead with the execution of Mohammed al-Nimr does not make the secret vote-trading deal more defensible from a moral standpoint. At the same time, Saudi Arabia's human rights record is driving a debate which increasingly is targeting the U.K.'s relationship with Saudi Arabia. Feeling the pressure from the public, the government has cancelled a bid for a Saudi prison contract worth £5, 9m in the face of mounting uproar concerning the pensioner Karl Andree who faces 360 lashes for alcohol possession. This sum, however, is nothing compared to what is a stake for the U.K. and Saudi Arabia's other Western trading partners in the domain of arms transfers and logistics support.

Looking at the defining characteristics of the Anglo-Saudi and the U.S.-Saudi relations provides us with clues why realpolitik so clearly trumps human rights concerns in the case of Saudi Arabia. What primarily defines these relations today is no longer oil but security considerations related to extremist non-state actors such as the IS and arms deals, which have increased as Saudi Arabia's rivalry with Iran has intensified. Notable is Saudi Arabia's 17 per cent increase in defense spending, the highest of any country among the top 15 military spenders in 2014. Saudi Arabia's greater militarization should also be seen within the framework of greater domestic repression and regional counterrevolutionary efforts in the context of the Arab Uprisings and the demands for equality, political participation and social justice by marginalized groups.

At another level and as a result of the strained Saudi-U.S. relations due to policy divergence towards the Arab Uprisings, the Syria conflict, the nuclear deal with Iran, and the perceived lack of U.S. commitment to the Kingdom's security, Saudi Arabia has been seeking to deepen its relationships with other allies such as Britain and France. They have been able to profit from the window of opportunity created from the rise in the Kingdom's defense spending. Saudi Arabia is the largest buyer of U.K. weapons according to data extracted from the Strategic Export Controls database by the UK NGO Campaign Against Arms Trade and represented 41 per cent of the U.K.'s export market shares between 2010 and 2014.

At the same time, the rise in military expenditure has contributed to cementing already established security and defense relations between the United States and Saudi Arabia, thus denouncing rumors of a definite break-up of the Saudi–U.S. relations. The professed tensions in the U.S.–Saudi relations clearly have not impacted U.S. arms transfers to Saudi Arabia. While there has always been a limit on what types of arms Saudi Arabia can buy to not upset "Israel's qualitative military edge", the current strains have not lead to a decrease in U.S. arms exports to the Kingdom. Micah Zenko observes in a CFR blog-post from September 25 that since October 2010 the Obama administration has agreed to sell $90.4 billion in weapons to Saudi Arabia, citing the Congressional Research Service as reference. The "petro-diplomatic" and "military-industrial" nexus and its interdependence with Saudi Arabia undermine the human rights concerns that Congress, the Parliament, and the U.S. and the British government may eventually have in regards to Saudi Arabia. A quick look at some major arms and logistical support sales cited by Micah Zenko illustrates this relationship.

If oil was once the primary cause for U.S. and British involvement with Saudi Arabia, the security and trade relationship cemented through arms sales and support logistics is what truly defines these countries' alliance with Saudi Arabia today. The considerable strategic and economic interests at stake decidedly trump human rights concerns. This fact is clearly spelled out by Con Coughlin in an article titled "Now is not the time Britain to annoy Saudi Arabia" in the *Telegraph* from October 14. He points to the "vital role played by Saudi Arabia in the protection of British interests" as defined by the 2010 Strategic Defence and Security Review. The closeness of this relationship according to Coughlin is "reflected in the military support Britain has been providing to the Saudi-led coalition fighting 'Iranian-backed' Houthi rebels in Yemen".

Speaking at the Annual Arab – U.S. Policy-Makers Conference, in Washington D.C. on Oct. 14, Jeffrey Kohler, Vice President of International Sales and Marketing for Defense, Space and Security (BDS) at Boeing, said that he believed that changes in Saudi human rights attitudes would happen indirectly through interaction and exchanges with U.S. actors and that the deep military relationship was especially conducive to such influence. If this was truly the case, such changes would be well underway given that the Saudi-U.S. strategic partnership was established in the 1940s. In the context of the strained security situation in the Middle East and Europe, which has been greatly acerbated by Russia's increased assertiveness, it seems unlikely that human rights considerations will gain the upper hand anytime soon.

About the author:

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