



# From the Court: Belgium – Suspension of export licenses to Saudi Arabia

In a 5 March 2021 judgment, the Belgian Council of State suspended four licences for arms and defence-related material that had been issued by the Walloon Region for exports to the National Guard of Saudi Arabia.

The Council found that the licenses were not adequately motivated with regard to the clear risk that the technology or military equipment whose export is envisaged will be used for internal repression or to commit serious violations of international humanitarian law in the context of the conflict in Yemen.

With regard to the situation in Yemen in particular, while the National Guard of Saudi Arabia is located in the border area, its radius of action nevertheless extends into Yemeni territory. During a military operation that took place in 2019 in which the National Guard intervened in Yemen in support of Yemeni forces, the Houthi rebels seized weapons from the unit in a counterattack. The photos of the weapons in the hands of these rebels show identifying serial numbers, one of which mentioned the Belgian company to which the licenses were granted. Weapons similar to those concerned by the licenses did indeed fall into the hands of the rebels but in small quantities and independently of the will of the Saudi authorities.

These elements would not be sufficient to justify the absence of a risk that weapons stored in an apparently insecure manner in the border area would again fall into the hands of the rebels who, like the other belligerents, do not respect international humanitarian law,

The authority responsible for issuing export licenses would however have to ensure that adequate procedures are in place to ensure the management and security of security of stocks, including surplus arms and ammunition.

Source: [Judgment n° 249,991 of 5 March 2021](#)

