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**New arms trade treaty will change the way Canada does business: The new International Arms Trade Treaty (ATT) requires Canada to amend its export regulations and report all sales including to unsavoury regimes**

Erika Simpson

University of Western Ontario (Western University), simpson@uwo.ca

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# New arms trade treaty will change the way Canada does business

The new international Arms Trade Treaty (ATT) requires Canada to amend its export regulations and report all sales, including to unsavoury regimes.

**ERIKA SIMPSON, SPECIAL TO POSTMEDIA NEWS**

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General Dynamics' LAV III (Postmedia file photo)

The new international Arms Trade Treaty (ATT) requires Canada to amend its export regulations and report all sales, including to unsavoury regimes. No longer can Canada turn a blind eye to our exports to the United States under the 1956 Defence Production Sharing Agreement (DPSA), and we must report on the end use of equipment (easier to do so in the computerized age).

The light armoured vehicle (LAV) deal involving General Dynamics Land Systems Canada in London and Saudi Arabia looms large because it was the largest arms sale in Canadian history, negotiated under the Harper government, and the Trudeau government seems unable to break the contract or suspend arms sales, while the furor over the death and dismemberment of the journalist Jamal Khashoggi continues.

It's a conundrum. That contract seems to be nearly fulfilled but then again after 2028 when all the LAVs have been shipped to the Saudis for use in ways we cannot imagine, there will be maintenance obligations. So senators in Ottawa are asking themselves whether Canada's minister of global affairs will be able to judge properly whether to issue (or reissue) export permits involving difficult cases, particularly as Canada is now the second largest exporter of arms to the Middle East.

In the EU and the UK, state parties are ensuring considerable oversight so the British include more ministries than foreign affairs in their overviews, and they do not take decisions to cancel export arms permits lightly.

As a member of more international organizations than any other country in the world, Canada abides by the Nuclear Non-Proliferation Treaty, the Chemical Weapons Convention and the Biological and Toxic Weapons Convention.

It's imperative that we don't sneak around and hide our arms exports to the U.S. under the Defence Production Sharing Agreement. Canada's Defence Department needs to abide by the strictest measures in the narrowest – and not the broadest – interpretation of the new Arms Trade Treaty rules and regulations.

Other countries will watch us and quickly realize if we intend to shirk our international obligations, and perhaps follow suit, leading to the weakening of the new treaty.

The senators in the Foreign Affairs and International Trade committee have before them now a heavy responsibility to ensure the wording of Bill C-47 (an act to amend the Export and Import Permits Act and the Criminal Code) abides by the Arms Trade Treaty and that Canadian arms dealers in the parts (components, like Pratt & Whitney engines) and the whole (like General Dynamics' LAVs) report and abide by any future minister of foreign affairs' edict to stop arms sales.

Such decisions will never be taken lightly because of their economic impact on the workers affected, and it may be too late now to renege on the \$13 billion to \$15 billion sale to Saudi Arabia – unless Crown Prince Muhammad bin Salman (MbS) continues to grow into his role

as a capricious military dictator bent on wars against Yemen and perhaps Iran – surely then the international opprobrium being experienced now by the U.S. president as he insists on trading with Saudi Arabia will have run its course.

The senators in Ottawa are doing a great job so far asking all the right questions. They seem more independent, less partisan. When I was summoned before them on Nov. 22, I felt like I was back in a PhD-level grad class at the University of Toronto where the questioning revealed quickly whether you knew the material or not.

I was wearing a long dress appropriate for the occasion on what was the coldest day in Ottawa's history on that date. I had to walk a long way because taxis can't approach the Parliament, so my hands were very cold. I could see the look of shock on the senators' faces when I shook their hands. But I was most shocked by the intensity of their purpose and cleverness in placing on the record various concerns about the minutiae of the legislation.

"I am not a lawyer," I responded at one point to a senator's probing question, and his quick riposte was "Neither am I." We need to make the legislation as clear, transparent and meaningful as possible so that everybody knows that, henceforth Canada will abide by the new treaty as it has done for so long before by other similarly weighty international treaties and obligations.

*Associate professor Erika Simpson's spoken and written testimony before the Senate's Standing Committee on Foreign Affairs and International Trade on Nov. 22 is televised and available in Eng/Fr. on the Senate of Canada's website: <https://sencanada.ca/en/Committees/AEFA/NoticeOfMeeting/507310/42-1>*