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POLICY PAPER

The Attributes of Reconciling Canada-Saudi Arabia Diplomatic Relations following the August 2018 Dispute, while Navigating the Light-Armoured Vehicle (LAV) Deal

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Executive Summary

Bilateral relations between Ottawa and Riyadh are important to Canada. Since the inception of its diplomatic ties in 1974, Canada has sought to maintain a cordial relationship with the Saudi Kingdom, in order to sustain its primary interests in promoting security and stabilization in the Middle East, as well as strengthen its commercial ties with the Kingdom of Saudi Arabia (KSA) and to a lesser extent, the rest of the Arab Gulf states. In 2015, the Liberal government recognized that despite its Party's initial controversial views of the Light-Armoured Vehicle (LAV)/General Dynamics Land Systems Canada (GDLS-C)-Saudi Contract (LAV Deal), the contract not only aligned with Canada's aforementioned strategic interests in the region, but was also beneficial for the Canadian Defence Industry. However, it was the *House of Saud's* strong reaction to the Canadian Foreign Ministry's public criticism of Saudi Arabia's deplorable human rights record in August 2018, and the resultant increasing domestic pressures for Canada to uphold the principle of promoting and protecting human rights, after the murder of Jamal Khashoggi in October 2018, that caused the Canadian government to seek to find the best course of action to take moving forward, to ensure a sound decision was made regarding Canada's relationship with Saudi Arabia and the competing interests at stake relating to the LAV deal. This Policy Paper focuses on the Canada-Saudi Arabia dispute of August 2018, and provides recommendations on how the Canadian government can reconcile its diplomatic relations with the Saudi Kingdom as an act of public policy, when there are competing interests at stake and divergent opinions regarding the controversial LAV deal.

Acronyms and Abbreviations

AQAP	Al Qaeda in the Arabian Peninsula
ATT	Arms Trade Treaty
CIFTA	Canada-Israel Free Trade Agreement
CCC	Canadian Commercial Cooperation
EIPA	Export and Import Permits Act (R.S.C., 1985, c. E-19)
FTA	Free Trade Agreement
FARE	University of Guelph's Department of Food, Agriculture and Resource Economics
GOC	Government of Canada
GCC	Cooperation Council for the Arab States of the Gulf/Gulf Cooperation Council
G20	Group of Twenty
GDLS-C	General Dynamics Land Systems-Canada
ISIS	Islamic State in Iraq and Syria
KSA	Kingdom of Saudi Arabia
LAVs	Light-armoured vehicles
LAV Deal	Light-Armoured Vehicle Deal/ GDLS-C-Saudi Contract
MINUSMA	UN Multidimensional Integrated Stabilization Mission in Mali
MENA	Middle East and North Africa
MBS	Saudi Crown Prince Mohammed bin Salman
NATO	North Atlantic Treaty Organization
NMI	NATO Mission Iraq
NGO	Non-governmental organization
OPEC	Organization of Petroleum Exporting Countries

RWG	Refugee Working Group (RWG)
RCAF	Royal Canadian Armed Forces
SAMA	Saudi Arabian Monetary Authority (Central Bank)
SANG	Saudi Arabian National Guard
UN	United Nations
UNEF I	UN Emergency Force I
UNRWA	UN Relief and Works Agency for Palestine in the Near East
U.S.	United States of America
UK	United Kingdom of Great Britain and Northern Ireland
UDHR	Universal Declaration of Human Rights
WWII	Second World War/ World War II

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INTRODUCTION

The international arms trade industry is one of the world's most lucrative businesses. For more than half a century, the Government of Canada (GoC) actively supported Canadian arms manufacturing companies in the export of controlled military goods to foreign countries (Gallagher, 2021). This is especially true for the Kingdom of Saudi Arabia (KSA), for which the Canadian government has, since 1993, granted GDLS-C with export permits under the Export and Import Permits Act (EIPA), to supply the KSA with LAVs. In keeping on this path, the Conservative government announced in 2014, that GDLS-C had been awarded the unprecedented \$CAN15 billion LAV Deal, which committed Canada to providing Riyadh with an undisclosed number of LAVs and their associated weapon systems, spare parts and technical data, over a period of 15 years (Memorandum for Action, 2016, p.1; Pedersen, 2017, p.208).

The Conservative government viewed the LAV deal as a win for Canada, because the new contract not only surpassed previous arms sales to Saudi Arabia, but it also facilitated maintaining alignment with Canada's strategic security and stabilization, as well as its economic interests in the Middle East, while creating an estimated 3,000 additional manufacturing jobs for Canadians in the defence industry, (Juneau, 2016, p.2; Pedersen, 2017, p.208). However, as growing concerns over Riyadh's human rights violations and its abysmal human rights record became more prevalent, the LAV deal quickly turned into a source of domestic contention, which prompted Canadian opposition parties and civil society organizations to renew calls for cancelling the deal (Pedersen, 2017, p.211). Indeed, while proponents in support of upholding the LAV deal argued that cancelling the contract could negatively impact the above-mentioned interests, critics argued that Saudi Arabia's blatant disregard for human rights justified their calls for cancelling the deal. Coupled with the deterioration of Canada's once cordial relationship with the Saudi Kingdom in

August 2018, and the subsequent murder of Jamal Khashoggi in October 2018, these contentions made navigating the GDLS-C-Saudi contract challenging for the incumbent Liberal government. Given the importance of both Canada-Saudi Arabia diplomatic relations and the LAV deal, the purpose of this Policy Paper is to answer the following question: **How can the Canadian government reconcile its diplomatic relationship with the KSA as an act of public policy, when there are competing interests at stake and divergent opinions regarding the LAV deal?**

To answer this question, this Policy Paper will be divided into three sections: Chapter I, will provide a detailed description of Canada's role and interests in the Middle East, as well as its bilateral relationship with the KSA; the diplomatic dispute of August 2018; and the competing interests associated with either upholding or cancelling the LAV deal, to assist in understanding the context within which the Paper's subsequent analysis and recommendation(s) will be made. Chapter II will provide a comprehensive cost-benefit analysis of the options available to the government to facilitate its decision on the best course of action to take moving forward. Based on the results of the analysis conducted in Chapter II, a brief recommendation on the best course of action will be provided in Chapter III. The Paper will conclude with a summary of subsequent events that took place following the period under review throughout this Policy Paper. The research methodology and literature review used to complete this Policy Paper follows.

Methodology & Literature Review

As previously mentioned, this Policy Paper focuses on the Canada-Saudi Arabia dispute of August 2018, and how the Canadian government can reconcile its diplomatic relations with the KSA, while navigating the LAV deal. To answer this question, a theoretical framework was not selected to guide the research and drafting phases of this paper, as the objective of the Paper was to provide the GOC with a practical recommendation, rather than with a theory-based

recommendation. As such, an in-depth qualitative research was conducted using mainly the following online search engines: Google; Google Scholar; Cairn.info; JSTOR.org; and the University of Ottawa's online library, OMNI. The key words entered into these search engines were Middle East; Arab Gulf States; Saudi Arabia; Canadian foreign policy; LAV Deal; Canada-Saudi Arabia dispute of August 2018; Jamal Khashoggi; and human rights. The type of sources that resulted from this online search were primarily newspaper articles from 2014-2022; documentaries; conferences; policy papers; academic articles; books; official GOC documents; and research papers from both independent, non-partisan Canadian research institutes and non-governmental organizations (NGOs).

The readily available and abundance of information relevant to the topic and research question made it possible to base this paper on sources published by credible journalists; historians; professors of political science and international affairs; as well as Canadian government officials. However, it is worth noting that despite the abundance of information found during the research phase, an important limitation was the absence of at least one key comprehensive source on which the Policy Paper could be based. The reason this information could not be found in just one or two sources, was because a complete analysis of the topic and research question covered in this Policy Paper had not yet been done. Hence, the importance of this Policy Paper, is that it provides not only a summary of all the relevant sources related to the topic and research question, but also, a detailed analysis of the latter. Consequently, this Policy Paper can be the go-to source for anyone wanting to understand Canada's role and interests in the Middle East; its diplomatic relationship with the KSA; the Canada-Saudi Arabia dispute of August 2018; the controversy surrounding the LAV deal; and the rationale to support the Paper's recommendation to uphold the LAV deal.

CHAPTER I
Background

I. Understanding Canada's Role and Interests in the Middle East

The Middle East (*Al-Sharq al-Awsat*) is one of the most diverse, complex, and geopolitically important regions in the world (Smith, 2008, pp. 5, 7, and 19). Located in Western Asia and eastern North Africa, the crucial significance of this transcontinental region to both Canada and the rest of the Western world, stems from much more than just its rich history in civilization, its unique religious, linguistic, and cultural heritages; and from the fact that it holds some of the world's largest petroleum (approximately 60%) and natural gas (approximately 45%) reserves (Canada and the Middle East and North Africa, 2019; Fawcett, 2013, p.4; Aoun, 2013, p. 133). Indeed, since the Second World War (WWII) ended in 1945, the Middle East has been an epitome of both old and new interstate and intrastate conflicts, which over time, have worsened, especially in the years since the September 11, 2001 terrorist attacks against New York and Washington (9/11), and most recently, the Arab Spring (2010-2011) (Smith, 2008, p.51; Korany, 2013, p.79).

Today, the Middle East is in great turmoil. With already four failing states (Libya, Syria, Iraq, and Yemen) and three persistent civil wars in three of these four states (Libya, Syria and Yemen), as well as the unresolved Arab-Israeli conflict; the trial of strength in Iraq and Lebanon; the ongoing proxy-conflict between Iran and Saudi Arabia; the heightened struggle between Sunni and Shi'a groups for regional hegemony; and the opposing attitudes regarding the role of the Muslim Brotherhood and the status of the Kurds, the Middle East continues to experience rising geopolitical tensions, in addition to social, political and economic instabilities (Guterres, 2018; King, 2015; TRT World, 2018; The World Bank, 2019). Consequently, many countries in the area have been subjected to an increase in displaced peoples and refugees, humanitarian crisis', violations of global standards of human rights, the advent of non-state actors and most notably,

terrorism (Baylis, Smith, & Owen, 2017, p. 337; Musu, 2012, p.65). Moreover, these instabilities have given rise to deep regional and international ramifications, due to their high risk of escalation, insecurity spill-over, political and economic fragmentation, and reinforced social division. The current Secretary-General of the United Nations (UN), António Guterres, recognized the importance of the region in his address to the UN's Security Council, on April 13, 2018, by stating that " still to this day, the Middle East represents a threat to global peace and security" (Guterres, 2018).

That being said, while the latter has led the world's great powers – primarily the United States (U.S.) and the Russian Federation – to maintain a considerably active role and presence in the region through continuous military engagement and political means aimed at securing their own regional interests, Canada, on the other hand, has remained a minor yet active actor in the region, albeit with limited ability to exercise its influence and pursue its regional interests (Baillargeon, 2020; Dempsey, 2019; Gause, 2019; Lons *et al.*, 2019; Rumer & Weiss, 2019; Musu, 2012, pp.72-73). In order to understand why this is the case, the following sections will provide an overview of Canada's position in international affairs, including the evolution of its role in the Middle East and its interests in the region.

Canada's Position in International Affairs

To understand the evolution of Canada's role in the Middle East, one must first understand the role Canada plays in the international system, as well as in world politics. Since the early 1940s, scholars and practitioners of Canadian foreign policy have largely regarded Canada's role and place in the international system, as that of a "middle power" (Nossal, Roussel & Paquin, 2011, p.50). This term is best defined by the authors of *International Policy and Politics*' description of the positional and behavioral approaches.

The positional approach describes a middle power as a country whose position in the international structure is, to put it simply, 'in the middle'. This means that countries like Canada, whose indicators of size, power, as well as relative economic and military capabilities are inferior to those of the great powers like the U.S., the Russian Federation, or China, but are still superior to those of smaller states such as Jamaica, Singapore, or Botswana, are situated between the two, which makes them neither a superpower nor a small power, but rather, an average or a middle power in that respect (Nossal *et al.*, 2011, p. 54). Hence, "a middle power has been defined as a secondary, but still highly developed country in the international system, whose status as a second-tier power should not be mistaken for that of a first or a third-tier power" (Chapnick, 2000, p.199).

On the other hand, the behavioral approach builds on the positional approach, by focusing not on what the middle power *is* in terms of its placement in the international hierarchy, but on what the middle power *does* in world politics. More specifically, because middle powers are neither revisionist nor transformative states, their main role in international affairs is "not to challenge or threaten the global *status quo* – that is, the economic, military, and political balance of power" (Jordaan, 2003, p.167). Instead, it is to "ensure the stability and legitimacy of the said world order, by facilitating the maintenance of a peaceful and stable international system, through the development of foreign policies based on functionalism, institutionalism and multilateralism" (Roussel & Robichaud, 2004, p. 151).

Functionalism is a theory which recognizes that second-tier powers often have limited resources available to manage the increasing number of complex foreign policy issues that arise (Potter, 1996-97, p.25). Therefore, in order to play a productive role in the international system without running the risk of mismanaging their limited skills and resources, proponents of this theory argue that middle power countries, such as Canada, must practice 'niche diplomacy' – the process by which a given country will, if they *can* and are willing to do so, "aim to maximize the

use of their limited skills and resources, by restricting their foreign policy objectives to spheres of influence that are appropriate to their level of capacity” (Gecelovsky, 2009, p. 78; and Holmes, 1996, p. 432). In so doing, second-tier powers engage in the style of foreign policy known as *middlepowermanship*, which embodies the principles of internationalism and encourages states to actively participate in the international system, by committing to international institutions responsible for maintaining peace and security (Nossal *et al.*, 2011, pp. 54 and 135). Through their participation in these organizations’ multilateral operations, aimed at managing and resolving global conflicts, middle powers can fulfill both their role and foreign policy objectives, as well as gain a certain level of influence in international affairs *via* mediation, conciliation, or good offices, just to name a few (Jordaan, 2003, p. 169; and Nossal *et al.*, 2011, p. 55).

Of particular note, is that although Canadian foreign policy during the interwar period (1918-1939) tended to be predominantly isolationist, internationalism was the approach to foreign policy that Canadian leaders chose to pursue, both during and after the Cold War (1947-1989) (Rioux & Hay, 1998-99, pp.58-60). Through their adherence to Western and North American alliances, as well as international institutions such as the UN system, Canadian leaders used appropriate forums to establish and project onto the world stage, niche policies based on Canada’s values and commitment to peace, order and good governance. These external priorities, which served as a guide to Canada’s traditionally ‘Pearsonian’ approach to foreign policy, included “advancing human security through persistent diplomacy; encouraging respect for international law; supporting humanitarian action, and promoting economic and social development” (Funk, 2007, p. 25). Most notably, Canada developed a mediatory role through the UN, that not only allowed it to increase its global prominence, but also to use its influence to pursue its true vocation of resolving disputes *via* peacekeeping missions, as evidenced by its engagement in the Middle East (Chohan, 1985, p.12).

The Evolution of Canada's Role in the Middle East

○ 1947-2006

Between 1947 and 1956, Canada's role in the Middle East went from being practically non-existent, to that of a fair-minded power playing the role of 'honest broker' in the region. By definition, an honest broker in international relations is an "impartial mediator who works with third parties in order to help them resolve their disputes" (Rae, 2015). During the *Golden Age of Canadian foreign policy (1947-1956)*, Canada "punched above its weight in global affairs and received remarkable recognition for doing so" (Chapnick, 2008, p. 206). It should be noted that, at that time, Canada had a limited thrust in the international community, due to its historical position "as a secondary power serving as a bridge or linchpin between Britain and the United States", during the 1920s, 30s and early 40s (Simpson, 1999, p. 77). However, because Canada had emerged as a leading non-great power from WWII with one of the world's strongest economies, Prime Ministers Louis St-Laurent (1948-1957) and Lester B. Pearson (1963-1958) sought to capitalize on this opportunity to gain increased recognition of Canada's participation, as one that was more equal to their level of commitment (Chapnick, 2000, pp. 190 and 193; Gecelovsky, 2009, p. 83).

Therefore, under the auspices of the UN, Canada asserted its position as the ultimate middle power, by mediating and supporting the mandatory Partition of Palestine in 1947, as well as the subsequent establishment of Israel in 1948 (Husseini, 2008, p. 41). However, shortly after the creation of the Jewish state, stability in the Middle East began to rapidly deteriorate, eventually leading to the Suez Crisis of 1956. Although Canada's bilateral relations with Arab states were still relatively modest at the time, Pearson's involvement in the establishment of the world's very first large-scale UN peacekeeping force (UNEF I), under which the Blue Helmets facilitated the

de-escalation and ultimately the peaceful resolution of the Suez crisis, marked the highest point of Canada's Golden Age (Wildeman, 2020). Not only was it a transformative event that resulted in Pearson – then Liberal Secretary of State for External Affairs – later receiving the Nobel Peace Prize in 1957, it was also a pivotal moment in Canadian foreign policy. More specifically, this event allowed “Canada to demonstrate its ability to effectively settle conflicts that affect major powers in the international system, thereby legitimizing middle power diplomacy and solidifying Canada's role in world affairs, as that of a fair-minded conciliator and good peacekeeper” (Gecelovsky, 2009, p. 88; Pocuch, 2019).

From that point on, Canada's approach to foreign policy in the Middle East was one of true *middlepowermanship*. Although a comprehensive policy towards the region had not been formulated until 1980, Canada's full-fledged commitment to the UN and to the peaceful resolution of conflicts, justified its participation in the multilateral peacekeeping missions that took place in Yemen (1963-1964), Egypt (1973-1979, and 1981-), the Golan Heights (1974-), Lebanon (1978), and the Iran-Iraq border (1988-1991) (Dekar, 1987, pp.2 and 58; Musu, 2012, p.65). It also allowed Canada to “mitigate and manage the economic instabilities of the region, by granting foreign aid to the most affected states” (Jordaan, 2003, p. 169). Most importantly, it enabled Canada to maintain its support to Israel, while still providing a balanced and equitable approach to the Arab-Israeli and the Israeli-Palestinian peace processes (Musu, 2012, p.65). This was reflected primarily through Canada's voting pattern at the UN, which up until 2004, mirrored its willingness to achieve the aforementioned goal (Shaker, 2007, p.20). It was also seen in 1991, when Canada was named ‘gavel holder’ of the multilateral Refugee Working Group (RWG), due to its impartiality towards the Arab-Israeli conflict and its overall active involvement in the Middle East, since 1947 (Brynen & Tansley, 1995). And then again, between 1994 and 2005, when Canada, as the leader of the RWG donated over \$300 million in developmental assistance to the Palestinian Authority and

other important entities, to help alleviate the quandary of the four million Palestinian refugees and displaced persons living in both the occupied Palestinian territories and neighboring countries (Brynen & Tansley, 1995; Brynen, 2007, p.80; Shaker, 2007, p.20).

Although Canada's humanitarian aid efforts were not effective in promoting peace in the Palestinian territories, due to "the persistent internal divisions among Palestinians; their unresolved conflict with Israel; the Palestinian Authority's restricted capacity to govern most of the West Bank and Gaza; and the fact that Canadian donations were relatively smaller than those of other substantial donors", they were, however, useful in not only building local capacities, but also in strengthening the Arab world's image of Canadians being just and peaceful activists (Brynen, 2007, pp.80-81; Shaker, 2007, p.20; Canadian International Assistance in the West Bank and Gaza, 2017). Thus, despite the fact that Canada could not play a major political, military or economic role in the Middle East, due to its middle power status and the growing regional influence of the U.S., its respected position as a renown honest broker, in addition to its legacy as the champion of multilateralism in the Arab world, gave it the leeway it needed to be able to fully exercise its influence in the region, until 2006 (Molloy, 2007, p.13; Musu, 2012, p. 73; Shaker, 2007, p.21).

- 2006-2015

Canada's traditionally balanced policy towards the Middle East, which was based on guidelines established by the Stanfield Report of 1980, changed to one of a more passionate and vocal support for Israel in 2006, when Conservative Prime Minister Stephen Harper came into power, and it continued throughout his near decade-long premiership, which ended in 2015 (Barry, 2010, p.191; Musu, 2012, p.70). Of particular note, is that this change in policy started in 2004, when former Liberal Prime Minister Paul Martin initiated the pro-Israel policy shift in Canada's voting pattern on Middle East issues at the UN (Musu, 2012, p.71). It was further amplified during

the Harper era, due to the Prime Minister's personal views on the State of Israel and the Conservative Party's electoral policy (Chapnick, 2016, pp.105-106).

More specifically, Harper perceived the State of Israel to be a "democratic Western state struggling for survival in a region of hostile and often unsavory regimes, in a world where anti-Semitism remains rife" (Chapnick, 2016, p.107). This notion quickly gained momentum in July 2006, as the start of the 34 day-long war between Israel and Hezbollah reinforced Harper's perception that Israel, "the lone outpost of freedom and democracy in the Middle East", needed the support of its fellow Western allies and partners in order to survive as a Jewish state amongst neighboring Arab nations (Chapnick, 2016, pp.106-107). Thus, based on the premise of shared values, Harper sought to fulfill what he and his Party's core Anglo-Protestant base viewed as Canada's moral duty, to adamantly support and defend Israel against any attempts by non-allied countries to destroy the Jewish state (Chapnick, 2016, pp.106-107; Wildeman, 2020). While Harper's stance did not change Canada's foreign Middle East policy in substance, it did, however, adopt an unprecedented position which was more robust, principled, yet still balanced on matters relating to Israel's national security and legitimacy (Clark, 2004; Chapnick, 2016, p.107). "This was evident in Harper's strong public rhetoric; his support for most of the Israeli government's policies; his diplomatic initiatives; and most notably, in his voting pattern at the UN" (Musu, 2012, pp.71 and 73). By consistently pursuing a Middle East strategy which was more pro-Israel than in previous years, Harper made it clear that Canada, whom he viewed as Israel's 'true friend' in the Middle East, would always remain in its corner (Chapnick, 2016, p.108; Barry, 2010, p. 193; Kestler-D'amours, 2016).

It is worth noting, that although the strengthening of Canada's diplomatic ties with the State of Israel was welcomed by the Jewish community in Canada (much to the political benefit of the Conservative Party), this position change was not well received by either the Arab world or

Canada's fast-growing Muslim population (Barry, 2010, p.196). Indeed, the Jewish-Canadian community, while only 371,000 strong at that time, was (and still is) one of Canada's most influential and well-established communities, in both the country's political and economic landscape (Barry, 2010, pp.192-193; Musu, 2012, p.71). Historically, Jewish voters casted their vote with the Liberal Party, as their progressive social policies, values, and priorities corresponded mostly with their own (Gollom, 2012; Barry, 2010, p.195). However, the community's strong kinship with Israel and Harper's unshakable support of the Jewish state, made Jewish-Canadians gradually begin to recognize the Conservative Party as their only logical political choice (Barry, 2010, pp. 192 and 203). This realization came shortly after Harper earned their votes in the 2006 general election, following his change in agenda priorities from economic issues to shared social values (Barry, 2010, pp.191-192). It was then secured in 2011, as the Conservative Party's electoral policy, which was carefully designed to appeal not only to the Party's core base, but also to non-traditional Conservatives such as Jewish-Canadians, won them a majority of seats in the House of Commons with just over 50% of Jewish votes going to the Tories (Barry, 2010, pp. 191-193; McDonald, 2006; Csillag, 2019).

From 2011 onwards, the Conservative Party retained the support of its evangelical Christian base, as well as that of a growing number of Jewish-Canadians, by continuing to apply policies that focused on domestic issues which directly concerned their respective communities and implementing a values-based foreign Middle East policy that was more pro-Israel (Smith, 2012, p.24; Musu, 2012, p.73; Barry, 2010, pp.191 and 193). Although these policy decisions sparked a lot of controversy amongst Canadians (especially Arab and Muslim-Canadian groups), it is important to further note that the Conservative government's decision to continue to defend Israel's right to exist as a Jewish state, despite divergent views, originated from "Harper's core

belief that doing so was simply the right thing to do, since previous governments had wrongly ‘gone along to get along’ with Israel’s critics on the world stage” (Chapnick, 2016, p. 106).

In retrospect, becoming one of the world’s most supportive nations of Israeli policy provided Canada with an opportunity to work more closely with Israel to counter common threats to national security, as shown with the Declaration to Cooperate on Public Safety, signed in 2008 (Barry, 2010, pp. 206-207). It also provided Canada with an opportunity to diversify its economy, through the expansion and modernization of the Canada-Israel Free Trade Agreement (CIFTA) in 2014 (Chapnick, 2016, p.112). Moreover, as a result of Harper’s decision to continuously prioritize Canada’s bilateral relations with its Western allies and partners in the Middle East (the U.S., the United Kingdom (UK) and most importantly, Israel), tensions between Ottawa and Washington, which had intensified in 2003 following the Chrétien government’s refusal to participate in the U.S. and British led coalition to invade and liberate Iraq from the Saddam Hussein regime, gradually improved (Wildeman, 2020; Nossal *et al.*, 2011, p.169; Noble, 2003, p.19).

Of particular note is, that in achieving the latter, Canada’s role as a facilitator of dialogue and as a mediator of peace in the Middle East remained unchanged (Wildeman, 2020). However, what did change was Canada’s ability to fully exercise its diplomatic influence in the region, as the Conservative government’s decision to reduce Canada’s previously balanced role in the Arab-Israeli conflict, caused the Arab world to no longer perceive Canada’s presence in the region as still being fair-minded (Musu, 2012, p.72). This change in perception, which stemmed from a shift in Canada’s foreign Middle East policy, from 2006-2015, led many Arab states to call into question Canada’s credibility and most importantly, its position as an honest broker in the region (Musu, 2012, p.73). Consequently, by the time the Conservatives’ leadership came to an end in 2015, Canada’s role as a reliable ‘middleman’ between Arab nations and Israel had diminished, as did the ability of its diplomatic service to not only “encourage constructive solutions to the region’s

problems, but also, to provide expertise in niche areas such as security, governance, judicial reform and economic development” (Barry, 2010, p.210; Schönwälder, 2014).

- 2015-2019

In 2015, Canada’s newly elected Liberal Prime Minister, Justin Trudeau, alluded to Canada’s need for political restoration, as during the Harper era, the Conservative government’s foreign Middle East policy, among a few others, contributed to the unsuccessful maintenance of Canada’s once “compassionate and constructive voice in the world”, thereby causing the country to not only lose its ability to fully exercise its diplomatic influence in the Middle East, but also, to face a number of setbacks which resulted in the decline of Canada’s global reputation (The Canadian Press, 2015; Drohan, 2018). To this end, the Liberal government set out to distance itself from its predecessor’s approach to global politics and favored “a change of course in key foreign policy areas” (Nossal, 2017, p.35). While this shift in approach involved not only reengaging Canada onto the world stage by renewing the government’s commitment to the UN and to multilateralism, but also involved implementing progressive internationalist policies on peace, security, defence, military operations and humanitarian crises, its implementation proved to be much more challenging than expected. This was evident when, from 2015-2019, Canada’s foreign Middle East policy remained largely unchanged from what it was under the Conservative government (Wildeman,2020).

More specifically, while Trudeau’s public discourse regarding the Middle East was not nearly as passionate as that of Harper’s, the Liberal government still upheld most of the Conservative government’s pro-Israel policies towards the region, with the exception of reinstating aid to the UN’s relief agency for Palestinian refugees (UNRWA) in 2016, and readopting a more fair-minded voting pattern on Middle East issues at the UN in 2019 (Klassen & Engler, 2017, p.67;

Seligman, 2018; Dyer, 2019). Moreover, despite the Prime Minister's efforts to fulfill his 2015 campaign promise of re-establishing diplomatic ties with Iran (which ended in 2012), the process was suspended in 2018, due to an array of political issues, some of which included the Conservatives' outstanding radical policies against Tehran (e.g., the Justice for Victims of Terrorism Act) (Juneau, 2019, p.39). As for Trudeau's promise to rekindle Canada's peacekeeping legacy, a foreign policy practice in steady decline since the 1990s and towards which Harper was indifferent, the Liberal government considered the African continent rather than the Middle East to be a more viable region in which to conduct new UN peacekeeping operations (Nossal, 2017, pp. 36-37; Hillmer & Lagassé, 2017, p.7; Sultan, 2007, p.17).

Consequently, missions such as the UN's Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) and the Royal Canadian Armed Forces' (RCAF) Operation PRESENCE in Uganda, were never launched in the Middle East. The only semblance of Canada's willingness to divert its focus from combat readiness in the region, was demonstrated in February 2016, when Trudeau ended Operation IMPACT's CF-18 bombing strikes against areas controlled by the Islamic State of Iraq and Syria (ISIS). It should be noted, that despite ending Canada's combat role in Operation IMPACT, Canada still maintained its military presence in both the Global Coalition to defeat Daesh and the North Atlantic Treaty Organization's (NATO) Mission in Iraq (NMI), in a training and special operations capacity, just as Harper had done in 2011 with Canada's combat mission in Afghanistan (Canada's Middle East Engagement Strategy, 2020; Rice & von Hlatky, 2017, p.289; Benrimoh, 2017).

Although ending Canada's offensive role in Operation IMPACT was met with a great amount of opposition, given the November 2015 jihadist attacks that had taken place in Paris, the latter was no longer an agenda issue by the time the Liberal government reached its mid-term in 2017 (Nossal, 2017, pp.39 and 41). In response to the opposition, Trudeau recommitted Canada to

the anti-ISIS coalition and pledged to maintain Canada's participation in the mission (Paris, 2017, p.23). In addition, he increased Canada's humanitarian support to the millions of refugees produced as a result of the 2011 Syrian civil war, by welcoming 25,000 registered Syrian refugees to Canada (Paris, 2017, p.24; Nossal, 2017, p. 35). This strategy, which was a part of the Liberal government's policy to counter ISIS was indeed a more generous and open-minded response to the Syrian refugee crisis, when compared to that of its Conservative counterpart which, by 2015, had only admitted 2,300 refugees into Canada (Nossal, 2017, pp.41-42). By March 2017, Trudeau's resettlement program for Syrian refugees had surpassed its original target, with over 40,000 refugees settling across the country (Oudshoorn *et al.*, 2020, p.894).

Despite the domestic and international acclaim Trudeau's successful humanitarian initiative received, his overall actions still did not restore Canada's once highly regarded role and influence in the Middle East. This was due, in part, to the Liberal government's failure to make the region an agenda priority, as well as to fully distance itself from the Conservatives' hardline policies and bring Canada's foreign Middle East policy back to its Pearsonian roots (Nossal, 2017, p.47; Clark, 2020; Horak, 2020, p.14). Indeed, while the reasons behind the government's decision to deprioritize the Middle East remain unclear, its failure to not only launch new peacekeeping missions and restore Ottawa's diplomatic ties with Iran, but also to be as vocal as Harper about Canada's allegiance to Israel, demonstrated its lack of priority for the region (Horak, 2020, p.14; The Iranian Canadian Congress, 2019; Clark, 2020; Petrou & Isaac, 2017). This lack of priority was also demonstrated by the significant reduction of ministerial visits promoting Canada's influence and interests in the region, as well as the government's failure to readopt a more balanced foreign Middle East policy, thus making it more difficult for Arab states to trust that 'Canada was truly back' to being a serious, more reliable honest broker (Clark, 2020). Consequently, these

shortcomings have resulted in Canada acting as a small power, albeit, with a continued limited ability to exercise its influence and pursue its interests in the region.

Canada's Interests in the Middle East

The Middle East matters to Canada because of its many broad, but somewhat limited, interests in the region (Juneau, 2016, p.1).

To begin, the region's high volatility, which not only makes it a threat to global peace and security, but whose continued instability has immediate security consequences for some of Canada's allies and partners, makes promoting regional security and stabilization one of Canada's primary interests in the Middle East (Juneau, 2017, pp.404-405). While Canada "faces no direct, major security or military threats emanating from the Middle East", due to its secure geographical location, conflicts in the region have, at best, a marginal impact on Canadian security (Juneau, 2017, p. 404). However, Canada's long-term security and prosperity are still indirectly at risk of undergoing second-order effects from the region's instability, as well as experiencing its consequences, because the ongoing turmoil in the Middle East contributes to the deterioration of both the regional and international rules-based order which benefit Canada tremendously (Devlen, 2019). Thus, despite its uniquely advantageous position of being shielded from most of the region's dangers, it is important for Canada to pay closer attention to the Middle East, while taking concrete steps to enhance its security and stability (Juneau, 2017, p.406). More specifically, Canadian policymakers must ensure that "Canada's most important driver of foreign policy, which is to be perceived as a reliable ally to the U.S. and to a lesser extent, NATO allies", is fulfilled through the development of foreign policies that not only support the region's pro-status quo states, but also reinforces a rules-based regional and international order founded on the rule of law (Juneau, 2017, pp.406-407). Canada must also continue to work with its allies and partners to

counter further destabilizations caused by factors such as terrorism; Iran and its proxies; and Russia's increasing influence, to name a few (Devlen, 2019). In so doing, not only would the latter objective be guaranteed, but Canada's longstanding security, as well as that of its allies and partners, would contribute to reducing overall volatility in the Middle East.

To continue, Canada's second most important interest in the Middle East is strengthening and developing new commercial ties with regional states, in order to foster economic growth and prosperity. Notwithstanding the region's major insecurity and instability challenges, the Conservative government made it clear, through its 2013 Global Markets Action Plan, that the Middle East is, nonetheless, a priority market for Canadian businesses, trade and investments (Global Markets Action Plan, 2013, pp. 8-9). This is especially true for the oil-rich monarchies of the Persian Gulf and more particularly, the six states that make up the Gulf Cooperation Council (GCC), as they all provide limited yet gainful opportunities for countries such as Canada to diversify their economy *via* the region's "difficult to penetrate, but wealthy and fast-growing markets" (Juneau, 2016, p.3). Although considerable steps have been taken by the Conservative government (2006-2015) to help increase Canada's trading presence in the Middle East, and most importantly the GCC, Canada's commercial ties with the region still remain underdeveloped to this day (Momani & Antkiewicz, 2007, p. 23; Juneau, 2015, p.2). In fact, out of the 14 Free Trade Agreements (FTA) currently in force, Canada only has two FTAs (CIFTA and the Canada-Jordan Free Trade Agreement) with the Middle East (Invest in Canada, 2020). It is worth noting that, the Liberal government (2015-2019) attempted to rectify this situation by gradually developing a more progressive trade agenda. However, following the election of Donald J. Trump to the U.S. presidency in 2016, efforts were suspended in favor of the North American trade relationship, above all others (Lilly, 2017, pp.126 and 132). Consequently, despite Canada's willingness to diversify its trade through the Middle East's new emerging market-economies, circumstances

required that it remain heavily dependent on the American export market with over 70% of its trade going to the U.S. (Lilly, 2017, p.132). Adopting a more balanced approach to international trade that would not only prioritize Canada's commercial ties with the U.S., but also with other growing markets, such as those of the Middle East and the GCC, could reduce Canada's economic reliance on the U.S. and ultimately protect the Canadian economy from external shocks (The Trade Commissioner Service, 2019). Implementing such an approach would allow Canada to have more flexibility in promoting Canadian business activity in the region, thereby creating more jobs for Canadians at home and fostering economic growth, all while "supporting the broader objective of tying Middle East states to international systems of norms and rules" (Devlen, 2019; Juneau, 2016, p.4).

It is important to note, that in addition to the above primary concerns, Canada also holds several other general interests in the region, such as supporting international development and providing humanitarian assistance funding to the victims of the Syrian and Iraqi crises; promoting Canadian values (e.g. democracy, freedom, justice, gender equality, human rights, and pluralism); and advocating for regional economic, political and social reform through diplomatic channels (Canada's Middle East Engagement Strategy, 2020; Bell, 2007, p. 11). However, this paper focuses on Canada's security and stabilization, as well as its economic interests in the region, as these interests are directly linked to the KSA, which is one of Canada's most important bilateral relationships in the Middle East (Juneau, 2017, p. 411).

II. Understanding Canada's Bilateral Relationship with the KSA

The KSA, located in the heart of the Arabian Peninsula and ruled by the House of Saud (*Al Saud*) since its founding in 1932 by the late King Ibn Saud (1932-1953), is one of the world's most important and influential Arab states, as well as a major powerhouse in the Middle East

(Blanchard, 2020; Cordesman, Markusen & Jones, 2016, p. 223; The United Nations Development Program, 2021). The Kingdom's global and regional prominence stems partly from the fact that it is the birthplace of the Islamic faith and home to Islam's Two Holy Mosques (Mecca and Medina), and the fact that it holds the world's second-largest proven crude oil reserves (U.S. Energy Information Administration, 2017, p.1; Canada-Saudi Arabia Relations, 2020; Organization of Petroleum Exporting Countries, 2020). Custodianship of these two holy sites has made Saudi Arabia's current Sovereign, King Salman bin Abdulaziz Al Saud, a highly influential player in the Arab and Muslim worlds (Canada-Saudi Arabia Relations, 2020). Moreover, since the discovery of Saudi Arabia's vast oil reserves in 1938 by the now state-owned petroleum company Saudi Aramco, the KSA has not only become the world's leading producer and exporter of conventional oil, but also, continues to play a central role in the Organization of Petroleum Exporting Countries (OPEC), which provides this GCC monarchy with significant influence on both the energy markets and global economy (Smith, 2008, p.102; Woertz, 2019, p.1; Cordesman *et al.*, 2016, p.226; Canada-Saudi Arabia Relations, 2020). Thus, despite their stark difference in history, culture, governance, and fundamental values, Canada has, since the establishment of its diplomatic ties with Riyadh in 1974, maintained a cordial relationship with the KSA, in order to sustain its interests in promoting regional security and stabilization in the Middle East, as well as strengthen its commercial ties with this pro-status quo state (Juneau, 2016, p.2; Horak, 2020, p.4).

Promoting Regional Security and Stabilization

In terms of promoting regional security and stabilization, the Canadian government recognizes that Saudi Arabia, as a valued security and intelligence partner to Canada and its allies in the Middle East, faces serious internal and external security challenges ranging from terrorism and extremism perpetrated by non-state actors such as Al Qaeda, Al Qaeda in the Arabian

Peninsula (AQAP) and ISIS, to a wide range of threats emanating from the Kingdom's bitter rival, Iran, whose aspiration to overthrow the Saudi regime in order to expand its regional influence and gain regional hegemony, dates back to the Islamic Revolution of 1979 (Final Report: Review of Export Permits to Saudi Arabia, 2020, p. 9; Cordesman *et al.*, 2016, p. 235; Crepy, 2019, p.25). The Saudi royal family not only relies heavily on its strong military and internal security forces to ensure the Kingdom's stability and internal security, but also on its close security ties with its GCC partners, and most importantly, on the assistance it gets from its strategic partnership with Canada's closest friend, ally, and partner: the U.S., to counteract these ongoing threats (Cordesman *et al.*, 2016, pp.218 and 244; U.S. Embassy and Consulates in Canada, 2019).

It is worth noting that "the relationship between the U.S. and Saudi Arabia dates back seven decades; when during the oil crisis in 1973, Riyadh agreed to ensure the stability of global oil markets in exchange for security guarantees from Washington" (Juneau, 2016, p.1; Subhan, 2003, p. 3885). While this partnership between the U.S. and the KSA rests on other shared interests, their 1973 Agreement formed the fundamental basis of a bilateral relationship, from which Canada benefits tremendously (Javaid, 2019; Juneau, 2016, p.3). Saudi Arabia's massive economic wealth and power not only enables it to balance world oil prices, but to also contribute to the stability of the global economy and, thus, to Canada's long-term economic security and prosperity (Juneau, 2016, p.3; Badr Sallam, 2018). Canada would inevitably suffer second-order effects if American-Saudi cooperation were to end, "because of the collapse of order in Saudi Arabia, or the emergence of a successor regime that is not as cooperative as the current Saudi family", (Juneau, 2016, pp. 1 and 3; Abner, 2016). It would also be greatly affected by the subsequent rise in global oil prices, given its increase in total imports of Saudi petroleum by 66%, since 2014 (Abner, 2016; Arsenault, 2019).

It is for the above reasons that Canada ensures the perpetuation of the partnership and continued relationship between Washington and Riyadh by not only supporting and cooperating with the KSA on key shared interests relating to counterterrorism (i.e., The Global Coalition to defeat Daesh) and the containment of Iran, to name a few, but by also developing foreign policies that ultimately join the U.S. in enhancing the Kingdom's security, and thus, the stability of the global economy and the Middle East (Juneau, 2016, pp. 2-3). Canada's approach, which resulted from the 2013 Canada-GCC Strategic Dialogue, goes hand in hand with its commitment and 2016 long-term Action Plan to promote security and stability, as well as mutual economic prosperity in the Middle East (Canada-Gulf Cooperation Council (GCC) Strategic Dialogue, 2018).

Strengthening Canada's Commercial Ties with the KSA

Since the establishment of Canadian-Saudi relations over four decades ago, the driving force of Canada's partnership with the KSA has been, and continues to be, one that is based primarily on trade, as well as other shared economic business and investment interests (Canada-Saudi Arabia Relations, 2020). More specifically, because of its prominent regional and global position as the leading economic player in the Gulf, as well as its membership in the Group of Twenty (G20), the Canadian government has long viewed Saudi Arabia as a viable market for its trade diversification objectives (Horak, 2020, p.2; Badr Sallam, 2018; Solomon, 2020, p. 2). This realization first came about in the early 1970s, following the Pierre E. Trudeau government's *Canadian Foreign Policy review (1968-1970)* and the subsequent oil crisis of 1973. Since 1974, the Canadian government has adopted and maintained a Saudi-first foreign policy approach towards the Gulf region (Horak, 2020, pp.3-4). This approach, which essentially guides Canada in the structure and management of its diplomatic relations with the region, has not only led the KSA to become Canada's second largest trade partner in the Middle East and North Africa (MENA),

but also, to be listed as an emerging priority market in Canada's 2013 Global Markets Action Plan (Horak, 2020, p.4; Canada-Saudi Arabia Relations, 2020; Global Markets Action Plan, 2013, p. 8).

Indeed, while Canada-Saudi Arabia relations have not always been at the forefront of Canada's foreign policy, two-way trade between these two countries has, nonetheless, remained strong over the years. This was especially true between 2016-2018, as Canada's exports to Saudi Arabia rose steadily from CAN\$1.2 billion in 2016 to CAN\$1.8 billion in 2018; while its imports rose from CAN\$1.7 billion in 2016 to CAN\$3.8 billion in 2018 (Canada-Saudi Arabia Fact Sheet, 2019). Conversely, Saudi Arabia supported the Canadian education and health care systems by providing Saudi students (approximately 15,000), as well as Saudi resident physicians and specialists (approximately 800), with financial assistance to study and live in Canada (Canada-Saudi Arabia Relations, 2020; The Saudi Arabian Cultural Bureau in Canada, 2014). In exchange, Canada not only provided these students and medical professionals with much needed training and expertise that could be applied in their home country, but it also played a small hand in "supporting the Kingdom's education system through Algonquin College's campus in Najran" (Juneau, 2016, p. 2). Moreover, Saudi Arabia's fast-growing economy and rapid development have historically provided Canadian businesses, investors and professionals with opportunities to work in tandem with the KSA in areas such as the engineering, medical, architecture, and military fields, thereby creating jobs for Canadians and thus, fostering Canada's economic growth (The Canada Saudi Business Council, n.d.).

It is the successes of this two-way trade relationship that led the Canadian government to recognize that by strengthening its commercial ties with the KSA, Canada could further reduce its economic reliance on the American export market and ultimately enhance its long-term economic growth and prosperity (Global Markets Action Plan, 2013, p. 8). Of particular note, is that since

the end of the Conservative government's rule in 2015, and up until 2018, the incumbent Liberal government's approach to achieving these strategic economic objectives, as well as promoting security and stabilization in the Middle East, had been to uphold the LAV Deal, put in place by the Conservative government in 2014 (Horak, 2020, p.13).

The LAV Deal

In 2014, the Conservative government announced that GDLS-C, a leading Ontario based defence company that specializes in the production of land and amphibious combat vehicles, had been awarded the largest advanced military export contract in Canadian history, i.e., the unprecedented LAV deal (General Dynamics Land Systems, n.d.; Jaramillo, 2015). This contract, which was brokered by the Canadian Commercial Cooperation (CCC) on behalf of both the GDLS-C and the KSA, contracted Canada to provide Riyadh with an undisclosed number of LAVs and their associated weapon systems, spare parts and technical data, over a period of 15 years (Memorandum for Action, 2016, p.1; Pedersen, 2017, p.208). Estimated at a value of CAN\$15 billion, the Conservative government viewed the LAV deal as a win for Canada, given that it not only exceeded the value of Canada's previous CAN\$2.5 billion sales of controlled military goods to Saudi Arabia since 1993, but that it also contributed to Canada's broader objective of deepening its economic relations with the Kingdom, and to a lesser extent, its GCC neighbours (Memorandum for Action, 2016, p.2; Juneau, 2016, p.2).

Although critics of the LAV deal argued that Saudi Arabia's abysmal human rights record made the country ineligible to purchase Canadian arms, and that the contract also violated Section 7 of Canada's EIPA, the Conservative government justified its signing of the LAV deal in 2014, on the grounds that the contract's economic benefits, at the time, far outweighed Canada's human rights concerns regarding Saudi Arabia (Pedersen, 2017, p.209). Of particular note, is that prior to

the 2015 federal election, the opposing Liberal Party openly voiced its opposition to the LAV deal, when Party Leader Justin Trudeau stated to media outlets that “Canada should stop arm sales to regimes that flout democracy such as Saudi Arabia” (Chase, 2016). However, upon coming into office in 2015, the newly elected Liberal government recognized that despite its Party’s initial controversial views of the GDLS-C-Saudi contract, supporting the deal put in place by the predecessor government was in Canada’s strategic interests, as it would not only contribute to diversifying Canadian trade and boosting Canada’s commercial and business presence in the Middle East, but that it would also facilitate the creation of an estimated 3,000 additional manufacturing jobs in the Canadian Defence Industry (Juneau, 2016, pp.2 and 4; Blanchfield, 2016; Memorandum for Action, 2016, p.4). The Liberal government further recognized that, acquisition of Canadian-made LAVs would assist the KSA in countering regional instability, including security threats posed by factors such as terrorism, conflicts, and Iran, to name a few (Memorandum for Action, 2016, p.7). Moreover, it recognized that the acquisition would facilitate the continuation of Washington’s partnership with Riyadh, and most importantly, would provide Canada with an opportunity to fulfill its broader objectives of maintaining the perception of being a reliable ally to the U.S.; supporting the global economy; preserving its own relationship with Riyadh; and promoting security and stability in the Middle East (Juneau, 2016, p.3; Final Report: Review of Export Permits to Saudi Arabia, 2020, p. 12).

It was for the above reasons, that the Liberal government chose to complete the LAV deal, and in April 2016, signed off on six export permits to supply the KSA with CAN\$11 billion worth of weaponized military vehicles (Zomonjic & Cullen, 2016; Pedersen, 2017, p.208). It is important to note that, although moving forward with the arms sales was a decision that the Canadian government viewed as being consistent with its interests, the overarching issues surrounding the KSA’s human rights record and the Canadian government’s lack of transparency in finalizing the

deal, continues to make navigating the GDLS-C-Saudi contract challenging for the Trudeau government, especially amid the Canada-Saudi Arabia dispute of August 2018 (Pedersen, 2017, pp.210-211).

III. The Diplomatic Dispute between Canada and the KSA

The Calm Before the Storm...

The publication of media reports, between 2016-2018, notably detailing the increase in the number of human rights violations being committed by the Kingdom, including mass executions; arbitrary arrests and detention of human rights activists; discrimination against its Shia minority, and its violent prosecution of the war in Yemen, played a major role in the breakdown of diplomatic relations between Canada and Saudi Arabia (Juneau, 2016, p.4; Final Report: Review of Export Permits to Saudi Arabia, 2020, p.19). In the months leading up to the breakdown, political debates on whether Canada should continue selling arms to Riyadh over the next 15 years became a contentious topic of discussion among Canadian political leaders and civil society organizations (Pedersen, 2017, p.220). Moreover, these atrocities heightened public concern over the regime's dire human rights record, which caused the Liberal government to face several renewed calls to cancel the LAV deal (Pedersen, 2017, p.211).

In response to these public outcries, "the Liberal government initially justified its decision to uphold the deal, on the grounds that it had to respect the agreement reached under the previous government, claiming that failing to do so could damage Canada's credibility" and likely cause the government to incur steep financial penalties (Juneau, 2016, p.4; Lovie, 2018). Further, in response to warnings raised by Canadian human rights activists, that the Canadian made military equipment contracted to be provided to Riyadh could potentially be misused by the Saudi Arabian National Guard (SANG) to commit human rights violations against Saudi citizens and in Yemen,

the Canadian government stated that their internal assessment had confirmed that the latter would be unlikely (Chase, 2016; Juneau, 2016, p.4). However, media reports published between 2016 and 2017, describing the misuse of Canadian-made weaponry by both the Saudi-led Coalition in Yemen and the SANG in Saudi Arabia's Eastern Province, clearly contradicted the findings of the government's internal assessment and, more importantly, strongly negated the Liberal government's initial justification to uphold the GDLS-C-Saudi contract (Pedersen, 2017, p. 217; Klassen & Engler, 2017, p. 67; Juneau, 2016, p. 4).

In response to the serious allegations reported by the media, the Liberal government ordered "urgent" investigations to determine whether it had inadvertently breached Section 7.4 of Canada's EIPA, which specifically states that the Canadian government "must refrain from issuing arms export permits to countries with a substantial risk of misusing Canadian military goods and technologies to commit human rights violations". The significance of the potential impact of this investigation on the LAV deal is worth noting. More specifically, should the outcome of its investigations confirm that Canadian-made military equipment had indeed been misused by the KSA in contravention of international humanitarian law (IHL), the Liberal government would have no option, but to cancel the LAV deal (Chase, 2017; Pedersen, 2017, pp.216-217; Canada's Export and Import Permits Act, 1985, p.23).

Despite the government's reassurances to the Canadian public, that it would do all that it could through its investigations, to make sure that the evidence reported by the media was indeed "fully reliable information that they could stand by" before committing to any official action, the opposing parties were concerned that at the time of their announcement in 2017, an action plan outlining the extent of the action to be taken and the timeframe within which it would be implemented, had yet to be shared with the public (The Canadian Press, 2017; Pedersen, 2017, p.217).

They further believed that the August 2017 admission by the Saudi Embassy in Ottawa, that the Kingdom was, in fact, using Canadian-made military equipment against its Shia minority in the country's Eastern Province, not only provided sufficient concrete evidence that removed any ambiguity surrounding the misuse of Canadian-made weaponry by the KSA, but also, significantly weakened the government's justification to continue conducting investigations for which the results were already known, without announcing any further definitive action to suspend arms export permits to Saudi Arabia or to cancel the LAV deal, thus strengthening their calls to cancel the LAV deal (Pedersen, 2017, p. 218; Cornellier, 2017). From the opposition's perspective, the government's dismissal of the overwhelming evidence presented to it did not support its justification for withholding its position, nor align with its values-based foreign policy, which calls on Canada to protect and promote human rights in the Middle East (Canada and the Middle East and North Africa, 2019; Horak, 2020, p.15; Jaramillo, 2018).

In response to this additional criticism, the Liberal government took concrete steps to demonstrate that its actions and decisions were indeed in line with their foreign Middle East policy. The government supported amendments to Bill C-47, which although had been heavily criticized as being a weak piece of legislation, was tabled in the House of Commons in April 2017, to amend the EIPA in order to allow Canada's entry into the Arms Trade Treaty (ATT) (Pedersen, 2017, pp. 219 and 221; Amendments to Bill C-47, 2018). And, in August 2018, it expressed its concern over the KSA's campaign of arrests against Saudi human right activists. Unfortunately, this latter attempt to show that the government took human rights seriously, triggered a contentious dispute between Ottawa and Riyadh.

August 2018

In the first week of August 2018, a series of tweets decrying the arrests of prominent civil society and women's rights activists, including Samar Badawi, the sister of Saudi blogger Raif

Badawi, who since 2012, has been imprisoned and severely sentenced for publicly criticizing the Saudi regime, were published by Minister Chrystia Freeland in support of their immediate release (Ljunggren, El Yaakoubi, & Paul, 2018; Dawson, 2021). Although it was not the first time that the Canadian Foreign Ministry publicly condemned Saudi Arabia's deplorable human rights record, it was however, the first time that the *House of Saud* reacted strongly to receiving such criticism from Canada (Marcoux & Barghout, 2018). In their view, the Liberal government's decision to release these tweets was "a blatant interference in the Kingdom's domestic affairs, and thus, called for an appropriate response" (The Arab Center for Research and Policy Studies, 2018, p.5). The Canadian government interpreted their response, which involved a plethora of robust punitive measures to be imposed on Canada, to be unwarranted and excessively harsh, and this led to the downward spiral of the two countries once cordial relationship (Samuel, 2018).

The retaliatory measures taken by the KSA involved severing diplomatic ties with Canada by first, declaring the Canadian ambassador to Riyadh *persona non grata* and subsequently expelling him from the country, while also recalling its own envoy to Canada (The Arab Center for Research and Policy Studies, 2018, p.4). In addition, the Kingdom suspended all of its direct flights to Toronto; ordered Saudi students in Canada to either return home or complete their education in another country; ceased all of their medical treatment programs and transferred Saudi patients in Canada to medical facilities located outside of the country. They further instructed the Saudi Central Bank (SAMA) and state Pensions Fund to relinquish their Canadian equities, bonds, and cash holdings regardless of the cost, and lastly, they placed a freeze on all new bilateral trade and investments with Canada (Meredith, 2018). These measures, which mirrored those endured by Sweden in 2015 and Germany in 2017, following their own criticism of Saudi Arabia's human rights record, were intended to not only make an example of Canada, but to also pressure its Prime

Minister into issuing an official apology to the Kingdom (The Arab Center for Research and Policy Studies, 2018, p.4; Gollom, 2018).

Of particular note, is that the measures taken by the KSA reflected their abandonment, since 2015, of their traditionally cautious foreign policy for a more assertive, ambitious, and hyper-nationalist approach to international relations (Gollom, 2018). Under the rule of King Salman and his son, Crown Prince Mohammed bin Salman (MBS), the Kingdom became more emboldened and less tolerant of outside interference, which explained its lack of restraint in severely punishing western middle powers that openly criticized Saudi Arabia's internal state of affairs (Macartney, 2018). This lack of tolerance was especially evident following the 2016 launch of Saudi Arabia's ambitious Vision 2030, as MBS viewed any criticism coming from either the Kingdom's allies or partners, as a direct hindrance to the effective management of their unprecedented socioeconomic reform program (Samuel, 2018). Therefore, to discourage the international community from further criticizing the Kingdom's domestic conditions, MBS imposed the above-mentioned sanctions on Canada, in an effort to demonstrate just how far the *House of Saud* was willing to go, should it receive any further public backlash from western countries regarding their human rights record (Gollom, 2018).

Notably, although the Crown Prince's actions resulted in Canada receiving little to no support from the international community as a whole (including the U.S. and the UK), it did not, however, result in Canada issuing an official apology to Riyadh. The Canadian government viewed this disagreement as being no more than a simple quarrel over different perspectives and as such, did not believe it warranted an apology or a change in its moral stance on the issue, especially since, in their opinion, it could have been quietly resolved through diplomatic channels (Simpson, 2018; The Arab Center for Research and Policy Studies, 2018, pp.6 and 8). Consequently, notwithstanding ongoing developments, the Canadian government opted to reiterate its support for

the immediate release of the arrested human rights activists, and made it clear on August 6th, 2018, *via* Minister Freeland's speech, that Canada would always stand up for human rights and women's rights, no matter the circumstances, whether it be at home or abroad (Meredith, 2018). As expected, Canada's refusal to apologize to Riyadh and to continue to publicly uphold its position against the KSA's actions, perpetuated the diplomatic dispute between the two countries. Fortunately, however, predictions made by Sylvanus Kwaku Afesorgbor, an associate professor at the University of Guelph's Department of Food, Agriculture and Resource Economics (FARE), that Saudi Arabia's sanctions would have significant implications for Canada's overall economy, education and health care systems, did not materialize (Afesorgbor, 2018).

Indeed, while Saudi Arabia ranks as Canada's second largest trade partner in the MENA region, it only ranks as Canada's 17th largest trade partner globally (The Globe and Mail, 2018). More importantly, the Saudi trade freeze did not apply to Canada's top exports (military goods and technology) and imports (oil and gas) to and from Riyadh (The Arab Center for Research and Policy Studies, 2018, pp.7-8; The Globe and Mail, 2018; Gallagher, 2020). Consequently, not only did Canada's oil and gas imports remain stable following the freeze, but so did its LAV exports to the Kingdom, as their commercial sanctions did not apply to the six export permits that had already been signed in April 2016 (Gallagher, 2020). In order for the commercial sanctions imposed by Riyadh to have had a significant impact on Canada's economy, the LAV deal would have had to be included as part of the Kingdom's sanctions (Gillies, 2018). Therefore, with trade between these two countries amounting to approximately CAN\$4 billion a year, which was roughly the same amount as Canada-U.S. trade within two days, Riyadh's commercial sanctions only had a minor impact on Canada's agri-food and tourism sectors and did not significantly affect the country's total exports and imports trade volume (Gollom, 2018; The Globe and Mail, 2018).

Moreover, although Saudi Arabia's decision to relocate approximately 15,000 Saudi students to other countries negatively impacted Canada's education system initially, as it had resulted in steep financial losses of over CAN\$1 million in anticipated tuition fees for several Canadian universities and colleges, the replacement of the departed Saudi students with other international students significantly minimized the overall impact on these academes (Knope, 2018; Gillies, 2018). The same outcome occurred within the Canadian health care system, following the KSA's cancellation of their medical treatment programs to Canada. Indeed, while this sanction, which also involved the withdrawal of Saudi medical students, trainees and employees, left countless hospitals and clinics with fewer staff to manage increasing patient volumes, the overall impact on the Canadian healthcare system was minimal, given that other highly skilled medical workers were able to fill the vacancies left by the departing Saudi practitioners (The Globe and Mail, 2018; Gillies, 2018). It is important to note, that despite the financial, logistical and minor hardships the sanctions created for schools and hospices in Canada, the real impact of these measures was felt, not within the Canadian education and/or health care systems, but by the Saudi students and medical professionals who could no longer benefit from studying, living and working in Canada (Knope, 2018). Notwithstanding the impact of the Kingdom's sanctions on Canada, and their ongoing opposing views on human rights, the Liberal government continued to work towards reconciling Canada's diplomatic relationship with the Kingdom, until the highly publicized murder of dissident Saudi journalist, Jamal Khashoggi, in October 2018 (Rabson, 2018; Kapelos, 2018).

October 2018

On October 2nd, 2018, the Washington Post columnist and prominent critic of the Crown Prince, Jamal Khashoggi, failed to return home after he was seen entering the Saudi consulate in Istanbul, Turkey (The Washington Post, 2019). Turkish officials' investigation into his

disappearance later confirmed that Khashoggi had been brutally murdered inside the diplomatic outpost, by a team of Saudi intelligence agents with close ties to MBS (Kirkpatrick & Gall, 2018). The Saudi government's initial denial of having any connection to the murder, eventually changed to admission that their "rogue operation" to extradite Khashoggi accidentally ended in his death, as he had resisted the agents' attempt to forcibly return him to Saudi Arabia (BBC News, 2021). Despite the admission of their involvement, and the arrest and charge of the individuals responsible for the murder, the Kingdom denied allegations that the Crown Prince was implicated in the journalist's death (The Globe and Mail, 2018). Amidst the international community's condemnation of the tragic killing and demand for justice for Khashoggi, the Canadian government was once again forced to review its entire relationship with the KSA (Kapelos, 2018).

The murder of Jamal Khashoggi was viewed by the Canadian government as being one of Saudi Arabia's most blatant and unconscionable displays of its disregard for human rights. Minister Freeland described the killing as one that was not only a direct attack on Khashoggi's right to freedom of expression, but also, on that of all individuals (Canada Imposes Sanctions on Individuals Linked to the Murder of Jamal Khashoggi, 2018). Canada initially responded to the heinous crime by expressing concern and ultimately condemning the act. However, as European countries such as Germany, Finland and Denmark responded to the killing more severely, notably by cancelling their arms deals with Saudi Arabia, opposition parties and civil society organizations in Canada renewed their calls for the Prime Minister to do the same, in order to uphold the principle of promoting and protecting human rights, and pressure Riyadh into pursuing domestic reform (BBC News, 2021; Momani, 2018; Juneau, 2016, p.4).

In the opposition parties' and civil society organizations' view, the KSA's well documented abysmal human rights record, as well as its involvement in both the devastating war in Yemen and now, the murder of Jamal Khashoggi, were reasons enough to suspend all arms

export permits to Saudi Arabia and ultimately, to cancel the GDLS-C-Saudi contract. Faced with increasing domestic pressures to follow its European counterparts, the Trudeau government announced that it would “try to see if there was a way” to cancel the CAN\$15 billion LAV deal, by firstly reviewing all of its export permits to Saudi Arabia, and secondly, by halting all issuances of new export permits to the Kingdom, pending the completion of the review (Momani, 2018; Final Report: Review of Export Permits to Saudi Arabia, 2020, p.4). This approach, of essentially determining the best course of action to take moving forward, was paramount in order to ensure a sound decision was made regarding Canada’s relationship with Saudi Arabia and the competing interests at stake relating to the LAV deal.

IV. The Competing Interests

The previous sections provided a detailed review of Canada’s diplomatic relationship with the KSA, the challenges encountered by the government in navigating the GDLS-C-Saudi contract, and the competing interests at stake regarding this deal. The pros and cons of the observations highlighted are summarized in this section, to facilitate an analysis of the options available to the government, that will allow it to make the most strategic and cost-effective decision that takes into consideration the competing interests at stake. This analysis will be conducted in Chapter II.

Pros

As previously mentioned, bilateral relations between Ottawa and Riyadh are important to Canada. Since the inception of their diplomatic ties in 1974, Canada has sought to maintain a cordial relationship with the Kingdom, in order to sustain its primary interests in promoting security and stabilization in the Middle East, as well as to strengthen its commercial ties with Saudi Arabia and to a lesser extent, the rest of the GCC. In 2015, the Liberal government recognized that despite its Party’s initial controversial views of the GDLS-C-Saudi contract, the LAV deal aligned

with Canada's strategic interests in combatting regional instabilities and insecurities generated by factors such as conflicts, terrorism, and Iran, to name a few. Moreover, they recognized that the deal was not only consistent with Canada's interests in reducing its economic dependence on the American export market, by diversifying Canadian trade and increasing Canada's commercial and business presence in the Middle East, but that it was also beneficial for the Canadian Defence Industry, as it facilitated the creation of thousands of new manufacturing jobs for Canadians. In addition, by upholding the GDLS-C-Saudi contract, the Canadian government positioned itself to be better able to support the global economy, as well as develop new and improved trade deals with other GCC states (Juneau, 2016, p.4). Furthermore, upholding the LAV deal enabled the Canadian government to preserve its partnership with the Kingdom (despite their August 2018 dispute), as well as fulfill its most vital interest, which is "to be, and to be perceived as a good ally" to the U.S., by supporting their relationship with Saudi Arabia (Juneau, 2016, p.3). It is for these reasons, that proponents have argued in favor of Canada's relationship with the KSA and the LAV deal, despite the problematic nature of their competing interests (Juneau, 2016, pp.3 and 5).

In their view, while it is true that "Canada's association with the Kingdom's appalling human rights record and its many poor foreign policy choices, through its continued diplomatic ties with Riyadh, are costly for Canada", the above-mentioned benefits generated from both their partnership with the KSA and the LAV deal far outweigh the disadvantages of this strategic alignment, especially since they fulfill Canada's national interests (Juneau, 2016). Proponents in support of the relationship accept that much of the criticism surrounding Canada-Saudi Arabia relations and the LAV deal are valid, given the Kingdom's human rights record and its role in the civil war in Yemen. However, they believe that to no longer support this necessary partnership by cancelling the LAV deal would cause Canada to incur significant penalties, as well as reduce its already limited ability to exercise its regional influence and pursue its interests in the Middle East

(The Canadian Press, 2018). They further believe that, because Riyadh is not susceptible to external pressures from middle powers such as Canada, cancelling the LAV deal would most likely not result in Saudi Arabia pursuing domestic reform, but rather, in the Kingdom maintaining its policies and continuing to purchase similar arms from other sellers (Juneau, 2016). Hence, while the relationship between Ottawa and Riyadh is indeed far from perfect and questions have been raised regarding the overall morality of the LAV deal, advocates maintain that the Liberal government should continue to pursue reconciliation efforts with the Kingdom and uphold the arms contract, as doing otherwise could negatively impact Canadian interests.

Cons

While it is true that Canada-Saudi Arabia relations and the LAV deal are aligned with Canada's main security and stabilization, as well as its economic interests in the Middle East, critics have argued that the same cannot be said about Canada's broader regional interest in promoting and protecting human rights. As previously mentioned, Saudi Arabia's abysmal human rights record has been well documented. The Kingdom's long history of committing human rights violations, both at home and abroad, have led Canadian opposition parties and civil society organizations to call for the cancellation of the LAV deal, as supplying the Saudi regime with arms of any kind can inadvertently contribute to the repression of its domestic opponents and minority groups, as well as facilitate the Kingdom's ability to contravene IHL (Momani, 2018; Al Jazeera, 2021). This was seen, not only in the country's Eastern province, but also, in the civil war in Yemen, between 2016 and 2017. Thus, while the Canadian government responded swiftly to the latter violations, notably by launching investigations; supporting amendments to Bill C-47; and actively voicing their concerns regarding Riyadh's human rights record, critics maintained that

suspending all arms export permits to Saudi Arabia and ultimately, cancelling the LAV deal, would have been a more adequate response.

Canada has long been viewed as a country with a strong, global reputation as a defender of human rights. Since 1947, incumbent Canadian governments have worked consistently to ensure the promotion and protection of human rights in the Middle East, whether it be through their multilateral peacekeeping missions; humanitarian assistance initiatives; military operations and/or diplomatic channels. Yet, with the lucrative sale of Canadian-made LAVs to Saudi Arabia, – a country that openly flouts democracy and ignores international human rights norms – critics have argued that Canada’s actions have undermined its credibility as a defender of human rights (Deif, 2017). In their view, the government’s decision to continue to process its already signed arms export permits (April 2016) to Saudi Arabia, despite the events that took place in 2016 and 2017, and the initial trade freeze that ensued following the murder of Jamal Khashoggi in 2018, demonstrated just how low of a priority Canada’s core values and principles were in relation to their immediate regional interests (Momani, 2018; Gallagher, 2020). Admittedly, the Canadian government did make it clear on numerous occasions that under no circumstances, did it support or agree with Saudi Arabia’s human rights violations. However, by continuing to supply Riyadh with weaponized military vehicles, Canada’s moral posturing in this regard quickly became inconsequential, as did the CAN\$65 million in humanitarian aid that it provided to Yemen, between 2017 and 2018 (Mosey, 2021; Canada Responds to Critical Humanitarian Needs in Yemen with New Funding, 2018).

According to Cesar Jaramillo, – the Executive Director of the Canadian peace institute, Project Ploughshares – the government’s actions were tantamount to it providing support with one hand and taking it back with the other (Mosey, 2021). To regain its high moral standing and

credibility, Canada needs to “walk the talk” first, by suspending all arms export permits to Saudi Arabia and second, by recognizing that the Kingdom’s human rights record is indeed enough to warrant the cancellation of the LAV deal and take this course of action, regardless of the outcome of their review of the GDLS-C-Saudi contract (Deif, 2017). By taking these concrete steps, the Canadian government will demonstrate that its commitment to promoting and protecting human rights in the Middle East is indeed, still a high priority for Canada. Moreover, it will ensure that Canada is no longer inadvertently contributing to the repression of both domestic Saudi opponents and minority groups, nor is it being an unlikely partner in the continuation of the civil war in Yemen – which Human Rights Watch (HRW) has confirmed is now “the world’s largest humanitarian crisis” – through the sale of Canadian-made LAVs to Saudi Arabia (Deif, 2017).

CHAPTER II
Analysis

Chapter II provides an in-depth analysis of the potential short-term (two years), medium-term (three to 10 years) and long-term (more than 10 years) consequences of either a) maintaining the status-quo; b) upholding the LAV deal; or c) cancelling the LAV deal (Wilkinson, Peter & Chaturvedi, 2006). For the purpose of this Policy Paper, maintaining the status-quo (Option a) refers to the option of keeping the October 2018 moratorium placed on new export permits to Saudi Arabia in effect, so that there would be no additional exports of Canadian-made LAVs to the Saudi Kingdom, following GDLS-C's fulfillment of the six permits signed in April 2016. Conversely, upholding the LAV deal (Option b) refers to the option of removing the aforementioned moratorium, to allow the Canadian government to honor the LAV deal in its entirety by resuming issuance of LAV export permits to the KSA, upon GDLS-C's completion of the April 2016 permits. Lastly, cancelling the LAV deal (Option c) refers to the option of immediately terminating the contract without honouring the completion of any export permits signed in April 2016.

Option a) Maintaining the Status-Quo

Maintaining the status-quo pertains to the government's decision to temporarily put a hold on the issuance of new export permits to the Kingdom, in response to the heightened domestic pressures that ensued, following the murder of Jamal Khashoggi in October 2018. This option, which would require the government to complete approximately 70% of the LAV deal, allows the Canadian government to establish a middle ground that would not only permit it to partially fulfill its main interests in the Middle East, but also, its broader regional interest in promoting and protecting human rights (Chase, 2016). Although this approach appears to be a viable option for Canada, on the surface, it is important to note that it carries strategic and humanitarian costs that cannot be ignored.

Short to Medium-Term

As you may recall, prior to Canada placing a moratorium on new arms export permits to Saudi Arabia in October 2018, the KSA had already taken several retaliatory measures against Canada in August 2018, in response to what they perceived as Canada's blatant interference in the Kingdom's domestic affairs. It is worth noting that while one of these retaliatory measures was to place a freeze on all new bilateral trade and investments with Canada, the Saudi's were careful to ensure that this commercial sanction did not apply to Canada's top exports (military goods and technology) to Riyadh, thereby leaving the door open for Canada to not only continue to fulfill the terms of the six export permits that had already been signed in April 2016, but to also fulfill its main interests in the Middle East *via* the LAV deal (Cecco, 2020). It is within the above context that maintaining the status quo would be most beneficial to Canada, in the short to medium term. More specifically, in keeping with the terms of the six signed export permits, and to ensure Canada fulfills its security and stabilization, as well as its economic interests in the Middle East, the GDLS-C would continue to export Canadian-made LAVs to the KSA, and over the next 10 years, provide the Kingdom with up to CAN\$11 billion worth of weaponized military vehicles. While the immediate benefits associated with the latter are undeniable, the impact of this decision on Canada's credibility as a defender of human rights and as a reliable trading partner, must be considered.

1) Canada's Credibility as a Defender of Human Rights

Canada is a country with a global reputation as a defender of human rights. When these fundamental rights guaranteed in the Universal Declaration of Human Rights (UDHR) – *i.e., justice, freedom and peace* – are flouted, threatened or violated, Canada is expected to be steadfast in its commitment to promote and protect human rights, and to take concrete action when injustices

occur (Statement by the Prime Minister on Human Rights Day, 2019; UDHR, 1948). From 2016-2018, Canada met this expectation by taking a principled stance against Saudi Arabia's human rights violations and demonstrating real leadership by not backing down in their diplomatic dispute that started in August 2018 (Brewster, 2018). However, when it came to the LAV deal, the Canadian government made it clear that despite Saudi Arabia's abysmal human rights record, it was still willing to continue to provide the Kingdom with weaponized military vehicles. A keenness which, although justifiable, resulted in Canada's credibility as a defender of human rights to be undermined. It is from this premise that choosing Option a) must be understood.

With nearly 80% of Canadians agreeing that "Canada should not be selling military goods to countries with poor human rights records", Canada's credibility as a defender of human rights will inevitably worsen, should the Canadian government choose to maintain the status-quo (Chase 2016; Angus Reid Institute, 2018; The Globe & Mail, 2016). Opponents argue that: Firstly, this decision would reinforce the controversial idea that monetary gain was more important for the Trudeau government than promoting and protecting human rights (Yakabuski, 2016). Secondly, it would not only contribute to the continued repression of both Saudi domestic opponents and minority groups, but also, to the perpetuation of the civil war in Yemen. More specifically, it is believed that Canada's continuation to fuel the civil war in Yemen through the partial completion of the LAV deal, would further solidify its unwitting complicity in the Kingdom's ability to contravene IHL, as well as to the human rights violations taking place on the ground and thus, to the unfathomable suffering of both Saudi and Yemeni people (Chase, 2021; Momani, 2018; Al Jazeera, 2021). Finally, it has been argued that even if Canada were to provide Saudi Arabia with fewer LAVs than it had originally agreed to in 2014, *via* the enactment of Option a), this decision would contribute to the escalation of the decades-long arms race in the Middle East, which experts

say will likely lead to more rather than less deadly conflicts and proxy wars such as those seen in Yemen and Syria (Yakabuski, 2016).

Hence, while this option ensures Canada's main interests in the Middle East are met in the short to medium-term, it does not do the same for Canada's broader regional interest in promoting and protecting human rights. In fact, choosing this Option would diminish Canada's credibility in the said domain and damage its historical reputation as a "broker of peace and beacon of progressive values" (Gallagher, 2021). Consequently, although it was a concern at the time, that this decision would negatively impact the Liberal Party's ability to win a majority of seats in the Federal election set for October 2019, it did, more importantly, cost Canada its bid for a seat at the UN Security Council in June 2020 (The Globe & Mail, 2019; Harris, 2020; Martell, 2018).

2) Canada's Credibility as a Reliable Trading Partner

In international relations, respecting agreements is a norm to which States Parties adhere, in order to facilitate cooperation between signatories and ensure common interests are met. Most importantly, it is a rule that State Parties practice, not only to demonstrate their willingness and ability to follow through on their contractual obligations, but also, to maintain and strengthen their credibility as reliable partners (Gould, 1992, p.20; World Trade Report, 2009, p.22). Admittedly, exceptional circumstances can lead a State Party to either partially or fully abnegate this norm. However, this is not a decision that is made lightly, as the resultant consequences not only comes at a reputational and financial cost to the State Party, but also, can lead to litigation (Juneau, 2016, p.4). It is within this context that the Liberal government chose to uphold the controversial LAV deal, until the October 2018 murder of Jamal Khashoggi. This tragic event forced the government to consider other options which would allow it to continue to secure its core interests in the region, with the least damage to its credibility and reputation as a reliable trading partner. While Option

a) allows the government to achieve its objective in the short to medium term, it does not shield Canada from the loss of its credibility as a reliable trading partner and the consequences that come with it.

The GDLS-C-Saudi contract, entered into in 2014, binds Canada to providing Riyadh with no less than \$CAN15 billion worth of weaponized military vehicles, over the next 15 years. If Canada were to maintain the status-quo (Option a), it would breach the terms of the contract as only 70% of the LAV deal will be completed, under this Option. The resultant impact would not only be unfavourable for Canada's reputation as a committed, trustworthy middle power that is willing and able to engage, strengthen and build new commercial ties with the GCC states, but it would cause Canada to be regarded as an unreliable trading partner (De Bono, 2018). Notably, this negative perception would only moderately impact on Canada's ability to fulfill its core regional interests in the short to medium-term, since, as previously mentioned, the GDLS-C would continue to supply the KSA with 70% of Canadian-made LAVs over this 10-year period. A trade-off which, although controversial due to the Kingdom's abysmal human rights record, would have been beneficial for Canadians working in the Defence Industry. This would be especially true for Canadians living in the recovering city of London, Ontario, where if the Liberal government were to significantly decrease their unemployment rate *via* the enactment of Option a), it would have likely gained their much-needed electoral support in the 2019 Federal election (Reuters, 2018; Martell, 2018). Notwithstanding these benefits, the repercussions of being perceived as an unreliable trading partner cannot be ignored.

Diversifying Canadian trade and increasing Canada's commercial and business presence in the Middle East, in order to gain access to their already "difficult to penetrate, but wealthy and fast-growing markets", will be more difficult in the short to medium-term, should not only Saudi Arabia, but also, the rest of the GCC, become reluctant to pursue new trade and investment

opportunities with Canada because of its decision to partially complete the LAV deal (Juneau, 2016, p.3). Of particular note, is that while this decision will not prevent Canada from exporting arms to the Middle East, in the short to medium-term, it will, however, make it more challenging for Canada to expand its trade relations with the GCC beyond that of the LAV deal, and thereby limit its ability to continue to diversify Canadian trade and increase their commercial and business presence in the Arab Gulf. Of further note, is that although the Canada-Saudi Arabia dispute of August 2018 did not significantly impact Canada's overall economy, nor did it impact its relations with the rest of the GCC, it did, however, jumpstart the above-mentioned barring of Canadian companies from Saudi export markets (Brewster, 2019), thus excluding "Canadian companies exporting military goods that are readily available elsewhere from the Saudi bidding processes" (Sevunts, 2020). This exclusion has put approximately CAN\$ 2 billion worth of direct trade and investments at risk for Canada and this amount could easily increase up to CAN\$7.5 billion, should the rest of the GCC follow in Saudi Arabia's footsteps, with the continued enactment of Option a) (Sevunts, 2020; Brewster, 2019). A domino effect of this magnitude would not only result in a slower job creation rate for Canadians, but it would also cause a deceleration in Canada's economic growth and prosperity, in the short to medium-term.

Long-Term

The long-term effect of partially completing the LAV deal is a double-edged sword for Canada. On the one hand, the open-ended nature of the moratorium gives the Canadian government the flexibility to refocus its attention on the uphill battle of not only regaining its credibility as a defender of human rights, but also, its reputation as a broker of peace and beacon of progressive values. On the other hand, while Canada is refocussing its attention on promoting and protecting human rights, it would simultaneously incur additional strategic costs, as it attempts

to achieve the aforementioned middle ground, through its continued enactment of Option a). The cost of Canada's reduced ability to promote regional security and stabilization, and its sustained damaged credibility as a reliable trading partner, is examined below.

1) *Canada's Reduced Ability to Promote Regional Security & Stabilization*

Canada's ability to continue to promote regional security and stabilization in the long-term, will be reduced to that of its pre-LAV deal era with the partial completion of the LAV deal.

More specifically, by ending the sale of Canadian-made LAVs to Saudi Arabia, Canada's support for Riyadh's fight against regional instabilities and security threats, would be limited to any of its passed military engagements that are still ongoing at the time of its termination of the contract. These engagements would likely include the previously mentioned Global Coalition to defeat Daesh and NATO's NMI, as well as the RCAF's Operation ARTEMIS, which is a mission to help defeat terrorism and make Middle Eastern waters safer (Horak, 2020, p.16; Operation ARTEMIS, 2021). It is worth noting that although Canada's continued involvement in these military initiatives will permit it to continue to promote regional security and stabilization, despite having reduced Riyadh's access to conventional military equipment, through its enactment of Option a), other competitive suppliers such as the U.S., UK and France could easily replace Canadian arms exports to Saudi Arabia, thus allowing the Kingdom to continue to counter these internal and external challenges, despite no longer having access to Canadian-made LAVs (Gallagher and Standfield, 2021, p.1).

Hence, the issue is not whether Canada's withdrawal of military equipment access from Riyadh would limit its ability to tackle regional instabilities and security threats in the long-term, nor whether Canada would still have an active role to play in this domain. Rather, the issue is about the extent to which Canada's reduced ability to fulfill this regional interest, (per its commitment

and 2016 long-term Action Plan to promote regional security and stabilization), will also diminish its ability to support the global economy; preserve its partnership with the Kingdom; ensure the perpetuation of the U.S.-Saudi Arabia partnership, and maintain the perception of being a reliable ally to the U.S. The impact of not being able to achieve these objectives on the same level as it did *via* the LAV deal would be a significant setback for Canada, as it would not only further solidify its role as a small power in the Middle East, but also, contribute to the deterioration of its reputation as a committed, dependable ally and partner in the region.

2) Canada's Damaged Credibility as a Reliable Trading Partner

For the most part, the consequences relating to the short to medium term impact on Canada's damaged credibility as a reliable trading partner, outlined above, mirror the consequences that will occur in the long-term, and therefore have not been repeated here. Instead, this section will highlight the additional long-term costs to Canada's damaged reputation as a reliable trading partner, that needs to be considered, should Canada choose Option a).

Consideration must first be given to the strong likelihood that the KSA would possibly open litigation proceedings against Canada for the remaining value of the unfulfilled LAV deal and seek penalties for its renegeing on completing the contract (Memorandum for Action, 2016, p.2; Chase, 2018). It is worth noting that although this partial breach would cost Canada billions of dollars in punitive damages, it would not have cost nearly as much as if Canada had cancelled the entire LAV deal, at the beginning of the conflict with Saudi Arabia. Moreover, because the majority of the LAV deal would have been completed in the short to medium-term, this decrease in arms exports would not have a major impact on Canada's overall economy, as previously mentioned above. It would however, further damage Canada's reputation as a reliable trading partner and cause moderate hardship to Canadians, including veterans employed in the Canadian

Defence Industry (Robertson, 2016). The government would have created less than the estimated 3,000 jobs the LAV deal promised for the city of London, Ontario, thus not only causing its population to lose much needed high-value employment, but also, causing GDLS-C's suppliers to employ less Canadians nationwide (De Bono, 2018).

In the long-term, the latter will moderately increase Canada's unemployment rate and trigger an economic slowdown, whereas in the short to medium-term, this outcome was nothing but a risk.

Option b) Upholding the LAV deal

Upholding the LAV deal pertains to the government's initial decision to continue to provide Saudi Arabia with weaponized military vehicles, despite the Kingdom's increased human rights violations throughout 2016-2018. Indeed, maintaining this position, which would require the government to complete 100% of the LAV deal, would allow the Canadian government to fulfill its main security and stabilization, as well as their economic interests in the Middle East. While this approach appears to be a viable option for Canada, it is important to note that maintaining alignment with Canada's strategic regional interests carries the same humanitarian costs mentioned in Option a) and would therefore jeopardize Canada's credibility as a defender of human rights in both the short to medium-term, as well as in the long-term. The short to medium-term consequences associated with these humanitarian costs have already been discussed in Option a). Therefore, only the long-term consequences of this cost will be discussed here.

1) Canada's Damaged Credibility as a Defender of Human Rights

Long-Term

In the long-term, upholding the LAV deal is a position that would be of little benefit in assisting Canada to repair its credibility as a defender of human rights. Indeed, because the

moratorium placed on Canada's new arms export permits to Saudi Arabia would no longer be in effect, GDLS-C would be in a position to continue to export Canadian-made LAVs to the Saudi Kingdom, thereby completing the LAV deal. Granted, completing the contract will be beneficial for Canada, as it will allow it to fulfill its main security and stabilization, as well as its economic interests in the Middle East. However, the trade-off for doing so would be sustained damage to Canada's credibility as a defender of human rights. The reason being, that despite providing support to Saudi domestic opponents and minority groups, as well as increasing Canada's annual aid budget for Yemen, the government's decision to supply the KSA with LAVS *via* the enactment of Option b), would further reinforce the idea that Canada's core values and principles are less of a priority than their immediate regional interest (Iddon, 2021; Wildeman & Fenton, 2019). This is especially true, given that arming the Saudi regime with weapons of any kind contributes to the continuation of the turmoil faced by Saudi and Yemeni people, in addition to the Middle East's arms race and the conflicts that will ensue.

Of particular note, is that although upholding the LAV deal would be controversial due to the aforementioned human rights implications, this Option is still the better option for the government to consider. This is so, because when compared to Option a), upholding the LAV deal only renders one major cost to Canada, which is, that it would sustain its damaged credibility as a defender of human rights. The upside of this Option is that it would not require the government to breach the GDLS-C-Saudi contract. Canada would therefore be able to maintain its credibility as a reliable trading partner, both in the short to medium-term, as well as in the long-term. As a result, the government would be in a position to combat regional instabilities and security threats without reducing its capacity. Moreover, it would be able to diversify its trade and increase its commercial and business presence in the Middle East, which in turn, will not only allow the government to create the 3,000 new manufacturing jobs the LAV deal guaranteed for the city of London, Ontario,

but would also allow it to effectively support the global economy and maintain the perception of being a good ally by to the U.S. Lastly, upholding the LAV deal would allow Canada to “project onto the world stage that when it agrees to something, it sticks to its word”, thereby reinforcing its credibility as a reliable ally and partner (Chase, 2016).

Option c) Cancelling the LAV deal

Cancelling the LAV deal pertains to the opposition parties’ and civil society organizations’ renewed calls for the government to end the GDLS-C-Saudi contract, as a result of the KSA’s well documented abysmal human rights record, and its involvement in both the devastating war in Yemen and the murder of Jamal Khashoggi in October 2018. This Option, which would require the government to complete 0% of the LAV deal, would allow the Canadian government to maintain its credibility as a defender of human rights, and likely win its bid for a seat at the UN Security Council in June 2020, unlike with Options a) and b) (Harris, 2020). However, despite this aforementioned benefit, this approach comes with significant strategic costs that cannot be ignored.

Short to Long-Term

Similar to Option a), cancelling the LAV deal would be considered a breach of the said contract. This unilateral breach would not only cause Canada to lose its credibility as a reliable trading partner, but it would also cause it to incur steep financial penalties, as a result of Saudi Arabia likely opening litigation against Canada for the total CAN\$15 billion value of the unfulfilled LAV deal, including penalties (Memorandum for Action, 2016, p.2). In addition to these costs, Canada’s arms sales would significantly decrease, thus heavily impacting the Canadian economy and fostering a slower job creation rate for Canadians. This was seen in Sweden and Germany (Uddin, 2021; Chase, 2016). Moreover, creating less than the 3,000 jobs guaranteed by

the LAV deal would have amplified concerns regarding the Liberal Party's ability to win a majority of seats in the October 2019 Federal election. In addition, Canada would also find it more difficult to diversify Canadian trade by increasing their commercial and business presence in the Middle East.

All in all, the economic cost associated with cancelling the LAV deal is very high. In fact, it is much higher than in Option a). The only real benefit of cancelling the LAV deal is with regards to Canada being able to uphold the principle of promoting and protecting human rights, which would have likely helped Canada win its bid for a seat at the UN security council. In terms of promoting regional security and stabilization, Canada will still be able to do so through passed military engagements, however, not at the level it would have through the LAV deal.

CHAPTER III
Recommendation(s)

The recommendations put forth in this Policy Paper are contingent on the outcome of the Liberal government's investigation into the allegations that Canadian-made weaponry had been misused by the SANG in Saudi Arabia's Eastern Province and in Yemen, to commit human rights violations, and the outcome of its review of the GDLS-C Saudi contract. If the allegations prove to be true, this Policy Paper recommends that the government cancel the LAV deal in its entirety (Option c), as continuation of the LAV deal would breach Section 7.4 of the EIPA. Should the outcome of the investigation prove to be untrue and the results of the review confirm that there is no substantial risk to the misuse of weaponized military vehicles in violation of IHL, then it is recommended that the GOC uphold the LAV deal (Option b). This is the most strategic and cost-effective option because its only major cost to Canada would be sustained damage to its credibility as a defender of human rights. The additional benefits of choosing this option are highlighted in Chapter II and have not been reiterated here for brevity.

CONCLUSION

This Policy Paper looked at the evolution of the Canada-Saudi Arabia diplomatic relationship from its inception in 1974 to the decline of its once cordial relationship in 2018. More specifically, Chapter I provided a detailed review of Canada's role and interests in the Middle East; its diplomatic relationship with the KSA; the challenges encountered by the Canadian government in navigating the GDLS-C-Saudi contract, and the pros and cons of the competing interests at stake regarding this deal. Chapter II analyzed the options that would allow the government to make the most strategic and cost-effective decision, all the while taking into consideration the competing interests at stake. Based on the analysis conducted in Chapter II, it was recommended that the best option for the Canadian government to enact, would be to uphold the LAV deal (Chapter III).

It is worth noting, that this Policy Paper's recommendation corresponds with the re-elected minority Liberal government's April 2020 decision, to lift the moratorium it had placed on new export permits to Saudi Arabia in 2018, and uphold the LAV deal (Chase, 2020). The rationale for the government's controversial decision was two-fold. Firstly, it was based on the outcome of the government's 2017 investigation, which found "no conclusive evidence" to support allegations that Canadian-made weaponry had been misused by the SANG in Saudi Arabia's Eastern province and in Yemen, to commit human rights violations (MacCharles, 2018). Secondly, the decision was based on the government's completed review of the GDLS-C-Saudi contract, which confirmed in 2019, that "Canada's export of armoured vehicles to the KSA, as well as other weapons systems, posed no substantial risk of facilitating any of the negative consequences referred to in subsection 7.3(1) of the EIPA" (Amnesty International and Project Ploughshares, 2021, p.6). It is further worth noting, that following the controversial decision to uphold the LAV deal, the government took steps to ensure that current and future export permits to Saudi Arabia continued to adhere to

Canada's legal requirements under the EIPA and to the ATT, to which Canada became a State Party in 2019 (Chase,2020).

In terms of reconciling Canada-Saudi Arabia diplomatic relations, it was previously highlighted in Chapter I, that the retaliatory measures taken by the KSA mirrored the measures endured by Sweden in 2015 and Germany in 2017, following their respective countries' criticism of Saudi Arabia's abysmal human rights record. Of note, is that Sweden (in 2015) and Germany (in 2018), both used official diplomatic channels to successfully resolve their dispute with the KSA, and to ultimately repair their strained relations with the Saudi Kingdom (Tencer, 2016; Bayoumy, Irish & Barkin, 2018). Therefore, reconciling Canada-Saudi Arabia diplomatic relations is a public policy act that the Canadian government would be able to carry out, should both Ottawa and Riyadh make resolving their dispute a priority (Moss, 2022). Given the successes Sweden and Germany had in repairing their relationships with the KSA under similar circumstances, Canada should consider adopting the same approach of using official diplomatic channels (Track One diplomacy) to resolve the dispute and repairs its strained relations with the Saudi Kingdom. In adopting this approach, it should also consider the possibility of using Track Two diplomacy, as this practice of mediation facilitated by an informal third party or mediator, which provides a bridge or complements Track One negotiations, is the key to "international conflict resolution" (Rouhana, 1995, p.255).

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