

WILPF STATEMENT TO THE SECOND CONFERENCE OF STATES PARTIES TO THE ARMS TRADE TREATY TREATY IMPLEMENTATION

August 24, 2016

As peace talks over the conflict in Yemen collapsed, Saudi Arabia unleashed a new wave of shocking and unacceptable bombing raids in populated areas in Yemen, destroying hospitals, schools, markets, and homes. This has been going on for a year and a half. Several UN bodies have described the bombing as in violation of international humanitarian law and human rights law. [Médecins Sans Frontières](#) and the [International Committee of Red Cross](#) have had to start a campaign – [‘Not A Target’](#) – to explain that hospitals must not be attacked during war.

Yet several ATT states parties and signatories continue to transfer arms to Saudi Arabia.

Campaign Against Arms Trade found that by April 2016 the UK government had issued 122 licences for military exports to Saudi Arabia since it began its military intervention in Yemen, signing off on £3.3 billion of arms exports in the first year of the war.

In June 2015, after the intervention began, France signed deals with Saudi Arabia worth \$12 billion, and in October 2015, it signed a military, trade, and economic cooperation deal with Saudi Arabia worth \$11.4 billion.

The United States, an ATT signatory, has made more than \$100 billion worth of arms deals with Saudi Arabia between 2011 and 2015, and has made recent deals explicitly to “replenish” weapon supplies that “are becoming depleted due to the high operational tempo”.

CONTINUED VIOLATIONS

This is not the only example of ATT states parties and signatories violating the ATT. It is one of the most blatant, however, because there is no doubt that these governments have all the information they need to understand the gravity of the situation and its relationship to their legal obligations on arms exports.

Outside of this room, challenges are being mounted. The UK is being sued in high court by the law firm Leigh Day for violating UK domestic law, EU regulations, and the ATT. Crossparty MPs have demanded an official inquiry into exports to Saudi Arabia. The Committee on Economic Social and Cultural Rights has

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recommended the UK to suspend arms export licenses when there is a risk that arms could be used to violate human rights, including economic, social and cultural rights.

According to an article in the New York Times, the US specifically instructed Saudi Arabia not to destroy a main bridge that facilitates aid being brought to civilians in Yemen. The Saudis attacked it three times. This will, according to officials, have no bearing on US material support for the bombing campaign—the government recently approved a new deal worth \$1.15 billion with Saudi Arabia.

WHAT CAN OTHER ATT STATES PARTIES DO?

The most important thing is to hold more focused discussions on Treaty implementation and considering responses to Treaty violations. Such discussions must be open to all states parties as well as international organisations and civil society, which can provide essential information and scrutiny.

The UK has suggested in working paper OP.1 to establish a working group of technical experts on ATT implementation. The group, according to the UK's proposal, should decide itself when it would be public or private. Experts, particularly from industry, may be invited to private meetings.

This proposal seems to seek to remove the opportunity to discuss Treaty violations from the public view and take such discussions into closed-door meetings that will likely exclude civil society other than arms manufacturers and dealers.

Focused discussions on implementation are necessary. But such deliberations must be public and informed by a wide range of interests, not just those profiting from arms sales.

One clear reason for open discussions is the need to make sure all obligations are considered—for example, the provision on preventing gender-based violence (GBV). In a series of interviews with export licence officials, WILPF found that none include GBV as a specific criterion in their risk assessment processes. Many transfers have been made even in instances where the risk of the weapons being used to facilitate GBV should have been well known.

For example, in 2014 Sweden exported 468 million SEK in recoilless rifles, spare parts, training equipment, components, and ammunition to India, even after the UN Special Rapporteur on Violence against Women published a report on India

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drawing attention to instances of mass rape allegedly committed by members of the state security forces.

Spain approved licences worth 1.4 million EUR to Cameroon, despite a Human Rights Watch report from a year earlier that documented torture and ill-treatment against Cameroon's LGBT population at the hands of gendarmes, who report to the Ministry of Defense.

In Colombia, according to Medicina Legal, a governmental institution, 70% of the killings of women last year, outside the armed conflict happened with a small arm. So far this year, in the city of Barranquilla, the rate increased to 90%. This shows the high risks women face when arms are easy available to the population.

Again, these are just a few examples of a wider problem.

States parties must implement the ATT with a view to enhancing peace, justice, and human rights, not profits and political manipulation. Export officials and governments must respect the prohibitions against transfers where there is a risk of war crimes, crimes against humanity, and war crimes as per article 7. They must equally assess the risks outlined in article 6 to refuse transfers where there is a risk, among other things, of human rights abuses or violations of international humanitarian law.

The CSPs should provide an opportunity to assess implementation, but ATT implementation is crucial all year round. We call on states parties and signatories to use the Treaty to advance peace, security, and human rights through their commitments and their actions.