

control arms



[MARK FRIED, OXFAM CANADA]

On behalf of the Canadian members of the Control Arms coalition, first let me thank you for taking up this important issue and for inviting us to appear as witnesses here today. My name is Mark Fried and I represent Oxfam Canada. The other coalition members here with me are Hilary Homes of Amnesty International, Lina Holguin of Oxfam Quebec and Ken Epps of Project Ploughshares.

Oxfam works in 95 countries around the world. Over the decades we have seen a marked increase in the number and severity of conflicts and incidents of criminal violence, including terrorism. Disputes that once may have been resolved with fists or sticks are now fought with automatic rifles, grenades and bazookas, feeding a death toll that now stands at over 2,000 people every day.

I find it outrageous that countries continue selling weapons and ammunition to known human rights abusers, sometimes in violation of U.N. arms embargoes, or to countries where corruption and incompetence allow weapons to fall into the hands of terrorists and criminals.

Part of the problem is the utter lack of global rules on the arms trade. Sadly, many countries do not maintain rigorous controls on their arms exports to ensure they do not get diverted into the wrong hands. Now we have the opportunity to bring the world up to high standards. And we can do so in a way that protects the rights of lawful gun-owners.

The Arms Trade Treaty is a unique opportunity to curb this tragedy. It took over a decade of lobbying by Nobel Peace Laureates and by our organizations, before the United Nations began a negotiation process in 2009. It will culminate in a marathon four-week session this July.

Canada has been a quiet but steady supporter of a robust Arms Trade Treaty. But some countries will try to water it down or tie it up in endless debate. We need Canada to be a vocal champion. My colleagues will explain the details.

[HILARY HOMES, AMNESTY INTERNATIONAL CANADA]

Why do we need an Arms Trade Treaty?

What exists now in terms of regulating conventional arms is a patchwork of national, regional and international rules and principles involving few common standards or obligations. There are significant gaps through which too many weapons end up in the wrong hands.

States are playing by different rules. Some states like Canada have comparatively tight export controls, others practically none. Some states abide by arms embargoes while others seek to get around them for political reasons or simply greed. Some states blatantly back one side in a conflict and sell arms accordingly regardless of how they will be used.

An Arms Trade Treaty should embrace one simple idea: if there is a substantial risk that arms exported to another country will contribute to serious human rights abuses, those arms transfers must be stopped. We need only look to Syria for evidence of how badly the current system can fail.

Despite an ongoing and serious human rights crisis in Syria over the past year – thousands killed, arrested, tortured and many more fleeing for safety over the borders – the UN Security Council has been unable to agree to impose an arms embargo. Some governments, including Canada, took independent measures to impose sanctions and prohibit arms transfers. Canada's response was in fact very robust including seven different rounds of sanctions.

For others – notably Russia (one of the Permanent 5 Security Council members) – it remained business as usual. The prevailing attitude can be found in the words of the General Director of the Russian state-owned arms manufacturer Rosoboronexport: “As long as no sanctions have been declared yet and as long as there have been no instructions and directives from the government, we are obliged to comply with our contractual obligations, which we are doing now”.

However, Russia has played a central role in preventing a wide range of sanctions and exercised two vetoes to block UN Security Council resolutions. Russia also voted against a recent Human Rights Council resolution condemning the killing of some 108 people, including 50 children, in Houla. Despite being Syria's main weapons supplier, Russian President Putin said on June 1, 2012, that “Russia does not provide weapons that could be used in a civil conflict.” No information was offered to substantiate that claim.

There are other clear cases where populations suffer from irresponsible arms transfers – including notably Sudan -- and I would welcome further discussion of these following this presentation.

[LINA HOLGUIN, OXFAM QUEBEC]

The UN Diplomatic Conference on the Arms Trade Treaty (ATT), in July 2012, represents an unprecedented opportunity to greatly reduce the human cost associated with the irresponsible transfer of arms.

An effective ATT must cover the import, export and transit of all types of conventional weapons, their ammunition and related equipment. It must be legally binding and stop the transfer of arms that could be used to violate international human rights and humanitarian law. We are pleased that Canada supports these criteria.

However, the ATT must also prevent arms transfers by states when there is a substantial risk of undermining sustainable development. Unfortunately, Canada no longer supports the inclusion of a socio-economic development criterion in the treaty's parameters.

Many civil society organizations (including Oxfam) and states (including the UK) believe that this criterion must absolutely appear in the treaty, since armed violence constitutes a direct obstacle to development. For instance, it has been shown that armed conflicts cost Africa 18 billion dollars each year.

We believe that an Arms Trade Treaty will help create the necessary conditions for true economic and social development, while also controlling the flow of arms that have precisely impeded this development in the past.

Our position is clear: a weak treaty would be worse than no treaty at all. A weak treaty would simply legitimize the existing system, which is deficient.

[KEN EPPS, PROJECT PLOUGHSHARES]

We know that treaty negotiations next month will be challenging. All key elements of the treaty are contested, even its scope. For example, from their recent experience, many states in Latin America and Africa insist that small arms and light weapons must be in the treaty. Yet some states, including China, want small arms omitted from the scope.

Similarly, the majority of states recognize that transfer authorization criteria should be based on international commitments. Some, particularly the US, argue that these criteria should be taken into account during transfer authorizations but states should not be held to "states shall not" wording. The problem, of course, is that some states will interpret "take into account" as "choose to ignore."

Two challenges stand out for treaty negotiations. First, the closest document to a draft text is a paper prepared by the chair of the ATT process at the UN, Ambassador Moritan of Argentina. It has wide support and includes all the fundamentals of a strong treaty but the paper has formal approval only as a background document. The second and perhaps greatest challenge is that the final treaty text must be approved by consensus. This was a condition required for the US to join the ATT process and it may well become the greatest impediment to effective negotiations.

Nevertheless, Canada can play a significant and supportive role to assist negotiations towards a robust and comprehensive ATT. Canada was an early treaty advocate, co-sponsoring resolutions on the ATT at the UN General Assembly. Canada's national record on export authorization, including its "case by case"

assessment of arms export requests, and its use of human rights and conflict criteria, suggests that Canada can bring substance and comparatively high standards to the negotiating table. A Canadian proposal for preamble language to acknowledge the legitimate use and transfer of firearms for recreational purposes helps to clarify that the ATT is not intended to affect domestic firearms regulation.

In our view Canada should also:

- Demonstrate high-level support for an effective treaty via a public statement by the Prime Minister and participation by Foreign Minister Baird in the opening Ministerial segment of the diplomatic conference;
- Return to its earlier support for a strong treaty criterion on sustainable development; and
- Consider including other stakeholders in the conference national delegation, such as parliamentarians and representatives of the broad range of civil society groups that have worked for a robust treaty.

In addition, we call on all Canadian parliamentarians to sign the global parliamentary declaration advocating a strong and effective ATT. To date, the document has been signed by over 80 Canadian MPs and Senators from all official parties.

To conclude, civil society groups like ours across the globe are convinced the Arms Trade Treaty is an unprecedented opportunity to reduce the human cost associated with inadequate controls on arms transfers. It can make important contributions to improved safety and security for the countless communities affected by conflict and armed violence. It is an opportunity that Canada and other UN member states must seize.

Thank you for your attention.