Submission from the Campaign Against Arms Trade to the Committees on Arms Export Controls

1. The Campaign Against Arms Trade (CAAT) in the UK, which was established in 1974, works to end the international arms trade, which has a devastating impact on human rights and security, and damages economic development. CAAT believes that large scale military procurement and arms exports only reinforce a militaristic approach to international problems.

2. This submission looks at arms export promotion, especially to authoritarian regimes; export licensing transparency; private military and security companies; the longevity of weaponry; drones; the arms trade treaty; and arms trade jobs.

Arms export promotion

3. CAAT was delighted that your Committees’ July 2012 Report urged the Government to acknowledge that: "there is an inherent conflict between strongly promoting arms exports to authoritarian regimes whilst strongly criticising their lack of human rights at the same time." As this is key to any informed discussion of arms export controls, it is disappointing that the Government, in its Response to the Report, did not accept the conflict.

4. Many of the items subject to export licensing can be used for repression: communications equipment is as vital as armoured vehicles. However, even where UK-supplied equipment does not physically endanger those campaigning for human rights or the general population, it can increase the military authority of authoritarian regimes - arms sales and military links convey a very clear message of UK government support. It seems that, as long as such regimes appear stable and are able to pay, the UK government is happy to support military sales to them. As well as being morally repugnant, this approach can lead to problems in the longer term as the consequences of arming the likes of Saddam and Gadaffi clearly show.

5. UK governments have a long and shameful record of prioritising arms sales over human rights. They are far keener to promote military exports than to control them. A telling recent example of Government priorities was the Farnborough Airshow in July 2012. This took place during the inconclusive arms trade treaty negotiations in New York. Fifteen UK government ministers went to Farnborough, including the Prime Minister. While the Airshow also showcases civil aviation, there is a strong emphasis on the promotion of military sales. The UK Trade and Investment Defence & Security Organisation (UKTI DSO) invited 34 military delegations to Farnborough, from countries which included Algeria, Bahrain, India, Iraq, Libya, Pakistan and Saudi Arabia.
6. Assisting companies by promoting military and security exports, UKTI DSO had 146 staff as at 30th September 2012 and a budget of £12.1 million in 2012/3. (Hansard, 24.10.12, col 935W) In addition to the services of UKTI DSO, military exports now also enjoy Government backing through the Defence Export Support Group (DESG) within the Ministry of Defence (MoD). Susanna Mason, the MoD’s Director Export and Commercial Strategy, was appointed on 1st January 2012 to co-ordinate this new initiative. (Hansard, 23.4.12, col 718W/30.4.12, col 1134W)

**Mapping "defence hotspots"**

7. It appears that the Department for International Development (DfID), possibly inadvertently, may be helping UKTI DSO decide where to focus its marketing efforts. The minutes of the London Chamber of Commerce and Industry (LCCI) Defence and Security Committee for September 2011 state: "Ian (Weatherhead of the LCCI) mentioned a few key areas that LCCI may focus their international Defence and Security events on next year. Simon (Everest is Head of Security at UKTI DSO) said that UKTI have a list of priority markets, which are listed on their website. Malcolm mentioned that food, energy and water are predicted to be the three main causes of defence threats in the future and asked whether UKTI are taking these factors into consideration. Simon said that UKTI is talking to the Department for International Development (DFID) and the United Nations (UN) about mapping such factors to predict where future defence hotspots will be."

8. This seems, to say the least, a cynical way of using DfID and UN information which was presumably compiled to help those organisations tackle the causes of conflict and not as a marketing tool for the arms industry.

**Saudi Arabia**

9. The starkest example where the UK can be accused of hypocrisy and putting commercial interests before human rights is Saudi Arabia. Ranked 161 out of 167 on the Economist Intelligence Unit’s Democracy Index 2011, it is a priority market for UKTI DSO as well as being listed as a "country of concern" on human rights grounds by the Foreign and Commonwealth Office (FCO). In 2011 Saudi Arabia was the second largest recipient of UK military equipment by individual export licence value. In 2012 arms exports to Saudi Arabia prompted a second investigation by the Serious Fraud Office (SFO), this time concerning a UK subsidiary of EADS, GPT.

10. As well as being promoted by UKTI DSO and DESG, sales to Saudi Arabia continue to be supported by the Ministry of Defence Saudi Armed Forces Project (MODSAP). This cost £39.59 million in 2011/12, a sum reimbursed by the Saudi government, giving the latter a bizarre foothold inside the UK government. As at 1st April 2012, MODSAP employed 69 civilians and 44 military personnel in the UK, and 34 civilians and 48 military personnel in Saudi Arabia.

11. This promotion of and support for UK arms sales to Saudi Arabia has major implications for human rights and the UK’s wider foreign policy. CAAT will be making a submission to the Foreign Affairs Committee’s welcome inquiry which covers this.
**Bahrain**

12. The UK signed a Defence Cooperation Agreement with Bahrain in October 2012, which includes intelligence exchanges and military training, and continues to licence military exports to the country. This conveys a message of approval despite Bahrain's failure to implement the recommendations of the Bahrain Independent Commission of Inquiry (BICI) and an intensification in its crackdown on human rights advocates.

13. There is substantial evidence that birdshot, which may have come from the UK, is being fired at protesters in Bahrain. The BICI documented ten deaths as a result of the use of a shotgun in 2011, seven attributed to the security forces. Bahrain Watch collated photographic evidence of 11 injuries from one day in April 2012; later in the same month a civilian was hit by birdshot and killed after the Formula 1 protests. The Bahrain Center for Human Rights has documented two birdshot deaths since August 2012 and numerous injuries, including to children.

14. There is photographic evidence of the use of cartridges made by UK-based companies Eley Hawk and Gamebore. Gamebore cartridges were photographed prior to August 2011, in December 2011 and in February and April 2012. Eley Hawk cartridges were reported in August 2012. From the publicly available data it has not been possible to determine how or when these cartridges came to be in Bahrain.

**Libya**

15. Although CAAT is not qualified to comment in detail about the current situation within Libya, it is clear there are competing factions within the Government, as well as between militias across the country. In September 2012, Department of Business, Innovation and Skills (BIS) Minister Lord Jonathan Marland cancelled a trade trip to Libya because of safety concerns.

16. Despite this, after a short pause following Gadaffi's overthrow, Libya was, in 2012, again identified as a priority market for UKTI DSO. In its response to your Committees' July 2012 Report, the Government says Libya's inclusion in the priority list is because the country has "urgent civil security and defence needs" following the 40 years of Gadaffi's regime. It is also said to need "air force reconstruction" though it seems unlikely that this would be high on any list of demands from Libyan citizens.

17. The inclusion of Libya as a priority list presumably indicates that the UK government is confident both that it can interpret the UN Arms Embargo in such a way as to allow the exports, and that the entity receiving any UK military or security equipment sold to Libya will remain under the same control as at present. CAAT believes the latter assumption is extremely unwise and shows how little the Government wishes to learn from the Arab Spring.

**Kuwait**

18. A vivid illustration of the way in which export licensing decisions can have an impact many years later was drawn to CAAT's attention in September 2012 when plastic bullets clearly marked with a Haley and Weller logo were used against human rights campaigners in Kuwait. "Jane's Ammunition Handbook 2009-2010"
says: "H 370/371 38mm baton round - This is a conventional solid plastic baton round designed for riot control. It can be fired from 38mm and 1.5 inch launchers, riot guns and pistols. Two versions are available: the long-range version H371 has a propellant charge giving a range of 90 to 130 m; and the short range version H370 has a smaller charge giving a range of 65 to 90 m. These baton rounds are for engaging individual targets and contain a single PVC baton. A multi baton round, using three separate smaller PVC batons, is also available in long-range H373 and short range H372 versions." From photographs, it appears the baton rounds were the 371 and 373 versions.

19. While there is no indication as to where the baton rounds were made or when they were exported, Haley and Weller became part of PW Defence in 2001; this latter is now part of Chemring.

20. This highlights a key problem with the Government's faith in licence revocation or the suspension of the export licensing process if the situation in a country changes. If the equipment has already left the UK, be it decades or even a month ago, there is no way of preventing it being used whenever and however the recipient chooses.

Export licensing transparency

21. The Government Response to the BIS Transparency in Export Licensing consultation was largely welcomed by CAAT, but much will depend on how the proposed changes are actually implemented in 2013. The inclusion of data on transactions taking place under Open Licences is a positive step, as is the decision to ask applicants for Standard Individual Export Licences to indicate whether information is sensitive rather than making the presumption that it is. It is currently unclear, however, exactly what information about, for example, end-users or companies will be routinely provided.

22. In its submission to the BIS Consultation, CAAT asked, in the interests of transparency and the Government's stated commitment to open data, that the complete data on the current searchable database of Export Control Organisation (ECO) be published in a raw, machine-readable format as a single download. The Government response says: "This needs careful consideration because the raw data does include information about values of individual items that is not normally accessible."

23. In fact, such information about values of individual items is accessible. The CAAT website includes an export licence application which, using the data from the ECO, is comprehensively searchable and provides itemised licences with ratings, values and the precise day on which the licence was approved, refused or revoked. For instance, by using CAAT's export licence application, licences including ML6 armoured vehicle and tank equipment exports to Saudi Arabia since January 2010 can be found here: http://www.caat.org.uk/resources/export-licences/licence?rating=ML6&region=Saudi+Arabia&date_to=2012-12-31&date_from=2010-01-01

24. Announcing the BIS consultation, the Secretary of State Vince Cable MP, reiterated the Foreign Secretary's commitment to "enhanced transparency of routine export
licensing decisions". (Hansard, 7.2.12, col 7WS) It would be totally unacceptable if, as a result of the consultation, less information is available than at present.

25. The full raw data is currently available from the CAAT website as .csv files for download. However, CAAT has been obliged to disaggregate the data. It would be both more transparent and useful if the ECO could provide the data without the need for skilled external IT intervention.

**Private military and security companies**

26. In 2002 the then Government consulted on the regulation of what are variously known as "private military and security companies", "corporate mercenaries" and "contractors". The presumption then was that some sort of mandatory controls would be introduced to regulate such companies and their activities.

27. Over the course of the last decade, the privatisation of military functions has expanded and now encompasses maritime, anti-piracy, as well as land-based activities. However, the Labour and Coalition governments moved to favour a voluntary, industry-led scheme and this is currently being developed by the Security in Complex Environments Group of Aerospace|Defence|Security.

28. CAAT does not believe that responsibility for the oversight of a hugely complex issue with life or death consequences can be left to a trade organisation; believes that detailed parliamentary scrutiny is urgently needed; and would urge your Committees to institute an inquiry specifically to examine it.

**Drones**

29. The proliferation of Unmanned Aerial Vehicles (UAVs), commonly known as drones, is an area deserving of attention from the Committees. Public debate on this issue is growing and the excellent research by Drone Wars UK informs much of this. CAAT understands that Drone Wars UK is making a submission to your Committees and commends it to you.

30. UAVs can have legitimate civilian uses, but their military use is spreading and gives rise to many questions such as whether there is a greater risk of civilian death than if humans were present to assess the situation. However, there are two issues which may be particularly pertinent for your Committees to look at.

31. The 1987 Missile Technology Control Regime, an agreement between 34 countries, covers missile delivery systems and applicable technology including the export of those with heavier warheads and greater range. With UAV technology and use growing apace, manufacturers find even the current weak controls onerous. However, far from relaxing the MTCR, it should be strengthened to take account of technological developments and include, for example, components.

32. The situation regarding UK arms export licensing and UAV components is also unclear and CAAT would urge your Committees to use your powers to seek clarification of these matters.
The arms trade treaty

33. The UK government said the arms trade needs regulation because, to quote from the UK's opening statement at the arms trade treaty negotiations in New York, it "has fuelled conflict, undermined security and diverted resources from development. Millions of lives have been, and continue to be, blighted. The security and humanitarian effects of this are all too clear". CAAT fully agrees with this statement.

34. However, the UK is one of the world's leading arms exporters and a supplier to authoritarian regimes and to countries in conflict - indeed, as described above, it is an enthusiastic promoter of military exports. Its advocacy of an arms trade treaty would be given weight if it stopped its involvement in the scourge it is talking about.

35. It is highly unlikely that an arms trade treaty would have stopped the arming of Saddam in Iraq, Gadaffi in Libya or Assad in Syria as leading exporters were happy to arms them. Libya, for example, was a major target for military sales from the UK, France and elsewhere right up until February 2011. Even now the UK government refuses to accept that it misjudged the risk here so there is little chance that export licences would have been refused had an arms trade treaty then been in force.

36. At the moment, any arms trade treaty is more likely to confer legitimacy on arms exports, than to prevent them. While the UK government continues to prioritise arms sales, and the interests of military corporations, over those whose lives are blighted by them, its promotion of an arms trade treaty can be viewed both as a diversion from the real issue and hypocritical.

Jobs figures not backed by evidence

37. On 23rd May 2012 Foreign Office Minister Alistair Burt MP and then Business, Innovation and Skills Minister Mark Prisk MP wrote a letter to all MPs entitled "Strategic Export Licensing: The Facts behind the Headlines". It said: "Britain's defence and security sectors are among our leading exporters, employing around 600,000 people and attracting new business for Britain." CAAT made a Freedom of Information request to BIS for the analysis behind the 600,000 figure.

38. In response, on 26th June Malcolm Allen of the UKTI Defence and Security Organisation (UKTI DSO) wrote: "The figures have come from the Oxford Economics 2009 report for 'The economic case for investing in the UK defence industry' which quotes a figure of 305,000 jobs in the defence sector. Also UKTI DSO commissioned a study by KMatrix (2010), which identified 335,000 employees in (and supporting) the UK Security sector in 2008/09. We have not traced the analysis that created these figures. The figures in the above sources are a little higher than those quoted, but rounded figures may be used for prudence."

39. The Oxford Economics report cited was commissioned by the Defence Industries Council and is based on 2006/7 figures from Defence Analytical Services and Advice (DASA). As the arms industry has been contracting it is inconceivable that the number of jobs won't have declined considerably since then. Even more to the point the 305,000 jobs include some 95,000 supported by Ministry of Defence Expenditure that do not relate to equipment purchases or exports, but to those
dependent "on items such as utilities (gas, water and electricity) and maintaining the defence estate" (UK Defence Statistics 2009) which no one would normally class as being part of the arms industry.

40. Regarding the security sector, while the analysis may be missing, CAAT traced an account, by Brian Sims in SMTonline dated 7th April 2010, of the launch of UKTI DSO's "UK Security Industry Marketing Strategy". This article quotes the 335,000 jobs figure mentioned by Malcolm Allen. However, partner agencies with which the article says UKTI DSO worked on the marketing strategy included the British Security Industry Association (BSIA), the Fire Industry Association's Export Council and the British Safety Industry Federation. The websites of these organisations, including the BSIA, make it clear that few of their goods and services are likely to have any connection with the export licensing regulations and most, unlike military industry, give rise to no ethical concern.

41. Employment is frequently used as a justification for arms sales when ethical questions and human rights considerations are raised. In the Ministers' letter it was used in the context of arms export licensing and the Arab Spring. CAAT had expected a figure quoted in a such a letter to be up-to-date and the result of solid official analysis. Instead, the figures were provided by the industry and accepted by Government with no questions asked.

42. The Ministers appear to have picked the largest figures they could to boost their defence of military exports. This is quite counter to the Government's professed desire for transparency and, by conveying a false impression, undermines discussion of arms export licensing.

October 2012