Submission from the Campaign Against Arms Trade to the Foreign Affairs Committee's inquiry into the FCO's human rights work 2013

1. The Campaign Against Arms Trade (CAAT) in the UK was established in 1974 and works to end the international arms trade. The arms business 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 by CAAT to the Foreign Affairs Committee's inquiry covers a number of areas including where the UK government's advocacy of human rights is undercut by the promotion of arms exports and related policies; the arms trade treaty; and what are widely-known as private military and security companies (PMSCs).

Arms sales and human rights

3. The 2013 Human Rights and Democracy report published by the Foreign and Commonwealth Office (FCO) says: "Properly regulated, a responsible arms trade helps countries to meet their legitimate defence and security needs. Arms exports help governments to protect their citizens and secure their fundamental freedoms. The UK’s export licensing system is one of the toughest, most transparent regimes in the world. We do export licensable equipment to countries which feature as countries of concern in this report. Not least because many licensable goods have perfectly legitimate civilian uses. They are used in the production of toothpaste or to build mobile phone networks. However, commercial relationships do not and will not prevent us from speaking frankly and openly to the governments of these countries about issues of concern, including human rights." This is a statement which requires closer examination, beginning at the end.

4. Human rights message is blunted
Your Committee's report, published in November 2013, into The UK's relations with Saudi Arabia and Bahrain says in paragraph 181: "Both the government and the opposition in Bahrain view UK defence sales as a signal of British support for the government. The UK Government should take this into account when considering high-profile sales, such as the Eurofighter Typhoon, to Bahrain." CAAT has long been making this point, but the "signal of British support" is far from limited to Bahrain.

5. As has long been the case, highly authoritarian Saudi Arabia presents the clearest example of human rights concerns being brushed aside by the UK government's desire to promote arms sales. Saudi Arabia is among the countries identified in the 2013 Human Rights and Democracy report as presenting "the most serious wide-ranging human rights concerns." It is ranked as the fifth most authoritarian government in the world by the Economist Intelligence Unit in its most recent (2012) report. Also, as your Committee’s Saudi Arabia - Bahrain report points out, Freedom House gives Saudi Arabia the lowest possible ranking for its civil and political rights throughout the majority of the last thirteen years citing to its long-term lack of democracy and human rights.

6. Despite this, when trips by David Cameron in November 2012 and December 2013 failed to persuade the Saudi government to agree the pricing for the sale of BAE Systems’ Eurofighter Typhoons, the support of the supposedly apolitical royal family was enlisted.
7. Prince Charles and the Duchess of Cornwall had made an official visit to Saudi Arabia in March 2013, but the FCO sought the assistance of Prince Charles again in February 2014. While human rights organisations urged Prince Charles to speak up against Saudi Arabia’s appalling human rights record, he instead joined its autocratic rulers in a ceremonial sword-dance at a festival supported by BAE. This was particularly distasteful in a country where more than 70 people were executed last year, mostly by public decapitation with a sword. Saudi Arabia later honoured BAE for its support of the festival. The company commented that such activities “offer us the opportunity to showcase our products and services.” (Arab News, 23.2.14) There can be no doubt that such determined wooing puts commercial relationships before human rights, and sends a strong signal of UK support for the regime.

8. Prince Charles’ visit came two days before BAE was due to issue its financial results and amid rumours that its share price was set to fall unless agreement could be reached on the pricing of the Eurofighter Typhoon deal. The next day Saudi Arabia and BAE announced the deal had been finalised. BAE’s interests trumped any frank speaking to the Saudi authorities about human rights.

9. **Priority is promotion, not regulation**
   The UK government arms export promotion efforts are co-ordinated through its arms sales agency, the UK Trade & Investment Defence and Security Organisation (UKTI DSO). This had 128 tax-payer funded staff as at 1st April 2013. (Hansard, 8.10.13 col 285w) UKTI DSO exists to sell arms, its activities are far from focussed on meeting "defence and security needs", let alone assisting governments in the support of "fundamental freedoms".

10. UKTI DSO co-ordinated the UK government's official invitation list to the September 2013 London arms fair, Defence & Security Equipment international (DSEI). India and Pakistan were both invited, leading to the obvious question as to whether the security, not to mention the development needs, of the peoples of both would not be better served by refraining from arming either. Such restraint, however, would be at odds with the UK government's arms sales-oriented ethos.

11. The promotion of military sales undermines all those seeking "fundamental freedoms". Nine of the governments invited by UKTI DSO to the DSEI arms fair were from countries identified in the 2013 Human Rights and Democracy report as those presenting "the most serious wide-ranging human rights concerns." These were Afghanistan, Colombia, Iraq, Libya, Pakistan, Saudi Arabia, Turkmenistan, Uzbekistan, and Vietnam. Official UKTI DSO invitations to the March 2014 Security and Policy Exhibition were extended to Colombia, Iraq, Libya, Pakistan, Saudi Arabia and Turkmenistan. The UK government clearly puts military exports before the human rights of the peoples of these countries.

12. If UK arms exports were really intended to help governments secure "fundamental freedoms" for their people, the UK would not be arming Bahrain, a clear omission from the FCO's list of "countries of concern". That country's government faced condemnation and accusations of brutality for its repression of protests in early 2011. However, the UK government is energetically promoting the sale of BAE's Eurofighter Typhoon jets to Bahrain. The promotion efforts have included a Downing Street meeting between David Cameron and King Hamad Bin Isa Al Khalifa in August 2013, and a major sales effort during GREAT British Week and the third Bahrain International Air Show in January 2014. The UK delegation to the latter included Prince Andrew, Defence Secretary Philip Hammond MP, Adam Thomas from UKTI DSO and a number of major arms companies, including BAE and Rolls Royce (Aero).

13. After such major endeavours supporting the companies in their sales efforts, it is inconceivable that the Government is going refuse an export licence for the goods. Regulation through the export licensing system becomes little more than a bureaucratic exercise in such circumstances.

14. The situation in Egypt certainly exposed the idea of a "responsible arms trade" for the myth it is. Egypt is another clear omission from the list of "countries of concern". However, the 2013 Human Rights and Democracy report uses Egypt to illustrate the situation where, following the coup which overthrew elected President Morsi in July 2013, the UK government was able to "respond quickly to changes in risk". While some export licences were suspended and some remain so, this
begs the question as to why, against a long background of turmoil and repression in Egypt, such licences were granted in the first place and why there is no embargo.

15. Egypt highlights the problems of the case-by-case approach which appears half-hearted and is profoundly unsatisfactory. Unless a particular piece of equipment can be directly used for repressive purposes, the sale is given an export licence. The message is clear - with no arms embargo the military regime in Cairo trade will understand that the UK government thinks trade is more important than human rights.

16. Greater transparency would end confusion
As the 2013 Human Rights and Democracy report says, the export licensing system does cover some goods which have "perfectly legitimate civilian uses" for mobile phone networks or toothpaste. However, the system is not sufficiently transparent to indicate which these are. It is hugely disappointing that the Department for Business, Innovation and Skills has retreated from providing more information, including that about the end user, of such exports. CAAT is sure that your Committee will use its membership of the Committees on Arms Export Controls (CAEC) to explore this retreat from a commitment to enhanced transparency. If there is nothing to hide, transparency should be possible.

Arms trade treaty
17. CAAT has always been sceptical about the arms trade treaty, but would be delighted to be proved wrong. However, there is no indication that governments intend to change their practice following the adoption of the treaty. To build the "safer, more secure world" mentioned in the 2013 Human Rights and Democracy report, human rights will have to be put before arms sales. Governments would need to stop promoting arms sales.

Private military and security companies
18. The 2013 Human Rights and Democracy report describes what it calls Private Security Companies, but are variously known as "corporate mercenaries" or PMSCs, as "legitimate" and "vital". The expansion of the range of activities of PMSCs, now maritime as well as land-based, has happened gradually and with little public debate. There are also still those who go to participate in armed struggles overseas in the more "traditional" mercenary manner, so this is a question both of individual persons and corporate entities.

19. While acknowledging the complexity of the issue, CAAT thinks that the combination of international codes and industry self-regulation is insufficient when the activities of PMSCs can have deadly consequences. There should be national regulation as well as a complete ban on combat activities.

20. The lack of regulation and the situation in Syria has also led to questions about which activities are "legitimate" and which are not. Following statements that UK citizens returning from fighting against President Assad in Syria face arrest, press articles (for instance by Joan Smith in the Independent on Sunday, 27.4.14) have drawn parallels with those enlisting in the International Brigades during the Spanish civil war. Ministers then had considered using the 1870 Foreign Enlistment Act against to stop it. Whatever the merits or otherwise of particular situations, it does seem that there is currently a lack of clarity and consistency.

21. A further issue pertaining to PMSCs has been raised within the CAEC in the context of the volume of weaponry licensed for export for use by PMSCs in operations around the Indian ocean. Other export licences are undoubtedly also issued for the supply of weaponry to PMSCs.

22. With so many aspects to this, CAAT would recommend that the Foreign Affairs Committee addresses all aspects of the PMSC issue in a dedicated inquiry.

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