

AI Index: PRE 01/240/2010
19 July 2010

States failing to control movement of weapons to human rights abusers

States are failing to adequately control the transport of weapons around the world leading to serious human rights violations, Amnesty International said today.

In a new report, the organization highlights how transport companies registered in China, France, the Russian Federation, the UK, and the USA – the five permanent members of the UN Security Council - are able to move conventional weapons and munitions to countries where they could be used to commit rights violations and war crimes.

“Lax controls on arms shippers and flyers who increasingly move conventional arms around the world are not confined to jurisdictions with weak arms export and import laws,” said Brian Wood, Arms Control Manager for Amnesty International.

“To save lives and protect human rights, the Arms Trade Treaty being negotiated at the UN must address the role of transporters and other intermediaries in arms supply chains, not just specify what states’ export and import licensing procedures should be.”

The report, *Deadly Movements: Arms Transportation Controls in the Arms Trade Treaty* was launched in New York as the first round of UN deliberations on the content of the proposed international Arms Trade Treaty resumed.

It reveals how recent arms shipments by sea and air carried out around the world by transport companies registered in the five nations and ships registered in European states, pose a substantial risk of being used to facilitate serious violations of international human rights and humanitarian law.

Examples highlighted in the report include deliveries of cluster munitions and their components on ships registered in the UK, and managed by UK and German shipping companies, that were transported from South Korea to Pakistan between March 2008 and February 2010 for use by the country’s army.

These deliveries took place despite the UK and Germany having committed to comprehensively ban the transfer and use of cluster munitions.

Another example cited in the report is of machine gun/anti-aircraft gun parts from Bulgaria flown on a regular scheduled Air France passenger flight from Sofia to Charles de Gaulle airport, Paris, in September 2008. The shipment was then flown to Nairobi with the final destination listed in the transport documents as Kigali.

There was a clear and substantial risk that machine gun/anti-aircraft gun parts procured by the Rwandan government might be diverted. Such weapons were used in the fighting taking place in the Democratic Republic of Congo, where more than 220,000 people had been displaced and serious violations of human rights were perpetrated. The Bulgarian, French and Kenyan governments which permitted the export and transit of the arms shipment through their territories failed to stop the transfer.

The report proposes three sets of core standards which should be included in the Arms Trade Treaty to require each state to regulate the transport of weapons, munitions and associated equipment: (i) through states' territories or airspace; (ii) by arms transport service providers operating from their jurisdiction, and (iii) on ships and aircraft 'flagged' in their jurisdiction.

It shows how these standards for transport service providers, incorporating an assessment of the risk that an arms shipment will be misused or diverted, can prevent the physical movement of those arms when there is a real danger the arms will be used by states and armed groups to commit serious breaches of international law.

Notes

Deadly Movements is based upon new research by Amnesty International, the International Peace Information Service (www.ipisresearch.be) and Transarms – Research Center for the Logistics of Arms Transfers (<http://transarms.org>)

Transport service providers include firms that own or operate ships, aircraft and other vehicles as well as shipping agents and brokers, freight forwarders, and charter companies which make arrangements to move the cargoes.

The UN General Assembly has tasked the Arms Trade Treaty Conference and its Preparatory Committee with developing an international instrument containing the “highest possible common international standards for the transfer of conventional arms.”

The first meeting of the Preparatory Committee for the United Nations Conference on the Arms Trade Treaty are taking place this week and next week at the United Nations in New York from 12-23 July 2010. It is the first formal state deliberation on the content of the proposed Treaty. The Preparatory Committee will have three further meetings during 2011 and 2012, followed by a treaty negotiating conference scheduled for 2012.