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# SWALLOWING THE BULLET

An Ethical Approach to an Arms Trade Treaty

**Pax Christi International**

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*Pax Christi International is a non-profit, non-governmental Catholic peace movement working on a global scale on a wide variety of issues in the fields of human rights, human security, disarmament and demilitarisation, just world order and religion and violent conflict*

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## **INTRODUCTION TO ARMS TRADE TREATY PACKET**

Pax Christi International has prepared this resource packet on the Arms Trade Treaty to encourage the active participation of Member Organizations in efforts to ensure that a strong and effective Arm Trade Treaty will be negotiated in July 2012 at the United Nations headquarters in New York.

The presence of our global movement in local communities flooded with small arms has kept this critical issue high on Pax Christi International's agenda. From South Sudan to El Salvador, Haiti to Iraq, Mexico to Cambodia, the Democratic Republic of the Congo to the United States of America, our members have seen the destructive impact of small arms in many different situations. Whether these weapons circulate during or in the wake of war and violent conflict; they are collected and used by violent gangs and organized crime; or their proliferation is driven primarily by lucrative profits, the cost in human life and misery is unconscionable. The specific impact on women and children is especially egregious, as is the diversion of resources needed to protect human life and the natural world.

Our faith tells us that every human life is sacred. Pax Christi International is committed to countering violence that destroys life and human dignity. We believe that a strong Arms Trade Treaty based on human rights and International Humanitarian Law will save lives and reduce human suffering.

May the deep commitment of so many civil society organizations and communities of faith, including Pax Christi, contribute in an effective way to ending the destructive proliferation and use of what are in too many places "weapons of mass destruction."

Marie Dennis

Co-President of Pax Christi International

# PAX CHRISTI INTERNATIONAL ON ETHICS AND ARMS TRADE

Fr. Paul Lansu

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*Pax Christi International and its Member Organisations have an important role to play leading up to negotiations of a global treaty to regulate the conventional arms trade in 2012. Key human rights obligations must be embedded in the treaty and Pax Christi member organisations should advocate together, on the basis of faith and ethics.*

Pax Christi International promotes sustainable security, rooted in justice and emancipation. The movement offers a forum at which the major global security issues can be analysed and discussed. As an international network, Pax Christi presents strategies and campaigns with regards to weapons of war and their effects upon human security.

Pax Christi International is set on the elimination of all weapons production. In order to ensure the security of human beings now and in the future, Pax Christi believes that it is imperative that the production and distribution of arms be reduced as much as possible.

To make this feasible, international and nonviolent security strategies and resources must be strengthened and further developed. This means the creation of binding and enforceable multi-lateral treaties with regards to all aspects of the weapons industry. Our efforts at establishing such treaties currently focus on the Arms Trade Treaty.

The arms industry is a massive global industry which manufactures and sells weapons and military technology and equipment. Defence companies produce arms mainly for the armed forces of states. Products include guns, ammunition, missiles, military aircraft, military vehicles, ships, electronic systems, and more. The arms industry also conducts significant research and development projects.

The international community must immediately adopt a global Arms Trade Treaty, as it is desperately needed now. The Treaty would create legally binding arms control and ensure that all governments control arms to basic and uniform international standards. In short, it would help stop weapons falling into the hands of indiscriminate killers and human rights abusers.

## **Sanctify Of Human Life And Of All Life**

The point of departure between the fundamental premise of Christian faith and the basic problem of armaments is the sanctity of human life and of all life.<sup>1</sup> We believe humankind was created in nothing less than the image of God. To be created in the image of God means that we all must treat this manifested image with dignity and respect, as God asks us to protect and love one another. Armed violence and illicit weapons that kill and maim people is not some unfortunate by-product of a lucrative commerce in arms. In the larger scheme of life, protecting this sanctity and dignity of life is a central standard for judging the legitimacy of that commerce and human rights law makes such judgments possible.

To live without the threat of arms resonates both within the vision of peace contained in sacred texts of all major religions, as well as with the principles of customary law that prohibits the threat or use of force in international relations. It also speaks to governments themselves, which we believe are responsible for establishing frameworks of security, and therefore regulations for what is allowed and what is not in service of the common good.

For us, the rule of law includes the rules-based resolution of conflict and control of all weapons which may be used in conflict. Governments have this unique role – within their societies and amongst the nations. Under these high standards and clear constraints, many of our Pax Christi Member Organisations recognize a government monopoly on the use of force. And the “human” in human rights retains its precedence during that use of force.

There is a broad and unshakeable basis for including human rights in the Arms Trade Treaty. International human rights movements have the distinction now, after 50 years of development and application, of becoming what was once said “the only political-moral idea that has received universal acceptance.” These “rights” express the moral responsibility charged to us by Holy Scriptures to protect the life of our sisters and brothers and to love our neighbour as ourselves.

The United Nations Charter, nine universal human rights treaties, and 100 other international treaties attest to that judgement. 192 United Nations Member States apply human rights law to state activities. State activity includes the authorization of arms transfers. In the patchwork of regional and other existing arms transfer control agreements which the Treaty is intended to repair, expand, and affirm, the majority contain human rights standards. Hopefully, the votes during development of the Treaty will uphold the same commitment.

Morality expressed in international human rights law protects those who need it most. In this is an insight useful for deliberation on how to bridge these rights into a strong and effective Treaty. When it comes to rights, the voice of a representative majority is crucial. The voice of the less powerful, less wealthy, and less dominant states will be the

surest guide for bringing human rights into the Treaty. Again, people whose hearts are open to others as their equals will not be surprised. From the Christian tradition, it is the least among us, the marginalized and the impoverished, who are considered not to have power. They are the ones to be heard; the voice of what justice and mercy require of us all.

Small arms and light weapons have been called the “weapon of mass destruction of the poor.” These arms kill, injure, and tear apart families and communities across the world. They prolong armed conflicts and fuel poverty. But unlike the trade in other items, like food or drugs, the trade in arms and ammunition is not subject to any international regulation.

## **Social Teaching of the Catholic Church**

Appropriate measures are needed to control the production, sale, importation and exportation of small and light armaments that facilitate many violent outbreaks.

The sale and trafficking of such weapons constitute a serious threat to peace. These arms kill and are used, for the most part, in civil and regional conflicts. Their availability increases both the risk of creating new conflicts and increasing the intensity of those already occurring. States that apply severe controls on the international transfer of heavy arms but rarely restrict the sale and trafficking of small arms and light weapons is an unacceptable contradiction. It is indispensable and urgent that governments adopt appropriate measures to control the production, stockpiling, sale, and trafficking of such arms in order to stop their growing proliferation, in large part among groups of combatants that are not part of the military forces of a state.

## **Compendium of the Social Doctrine of the Church.<sup>ii</sup>**

- The Catholic Church’s social teaching views peace as much more than simply the absence of war. Peace-making is viewed as a positive activity: “the fruit of anxious daily care for justice” (Pope Paul VI). Church teachings represent a challenge to many contemporary attitudes and assumptions.
- The Church’s position on war is clear - "War is not inevitable and should, apart from the immediate right of self-defence within strict just war limits, have no place in the resolution of conflict today. We should work through the United Nations and use all the other nonviolent methods available to resolve conflicts. The rights of conscientious objectors must be respected."

- The Church describes the arms trade as “a serious disorder” highlighting the disparity between global military expenditure and the real needs of the poor as a scandal. The Church calls us all to be peacemakers, building a culture of peace based on justice, which is central to the message of the Gospel.

## **The International Arms Trade. An Ethical Reflection<sup>iii</sup>**

Most arms are transferred from one state to another. Therefore, the prime responsibility for the control of these transfers falls squarely on the state. As urgent and necessary as these national means of control may be, they are inadequate, because the phenomenon is, by nature, transnational. While existing international treaties forbid the transfer of biological, chemical, and nuclear weapons<sup>iv</sup>, similar treaty parties do not regulate the transfer of conventional weapons. Both governments and international organizations have long been conscious of this anomaly.

A transfer of arms has moral consequences. Each person brings into play a series of political, strategic and economic interests that at times converge, at others diverge. In each case, there are specific moral consequences. The illicitness of the transfer – be it by sale, purchase or any other means – can only be determined if all the conditioning factors are taken into account.

Arms can never in any way be treated like other traded goods. While the possession of arms can serve as a deterrent, arms also have finality. There is, in actual fact, a close and in dissociable relationship between arms and violence. It is because of this relationship that arms can never be treated like ordinary commercial goods. Similarly, no economic interest can of itself justify their production or transfer.

The ultimate guide for any regulation of the arms trade is the dignity of the human person. Everyone – including governments and decision-makers in the arms industry – must commit themselves to this. Public opinion acts as a dynamic force which supports and anticipates the creation of government programmes and regulations.

*“In many parts of the world, the illicit trade of weapons and ammunition has led to human suffering, internal conflicts, civil unrest, human rights violations, humanitarian crises, crime, violence and terror. In fact, the international community is confronted with irresponsible arms deals in several places around the globe. Although an eclectic set of national and regional control measures on arms transfers exists, the global trade in conventional weapons — from warships and battle tanks to fighter jets and machine guns — remains unregulated in the absence of a set of internationally-agreed standards.*”

*Therefore, the Holy See has participated in the negotiations on the Treaty from the very beginning.”<sup>v</sup>*

**-Holy See, July 2011.**

*“The international community needs a strong, credible, effective and concrete legal instrument so as to improve transparency in arms trade, promote the adoption of common criteria for arms trade control and establish a binding legal framework for regulating the trade of conventional weapons and munitions as well as the trading and licensing of technologies for their production.”<sup>vi</sup>*

**-Holy See, July 2011.**

*“Moreover, arms cannot simply be compared with other goods exchanged in global or domestic markets. The quest for a world more respectful of the dignity of human person and the value of human life must be the founding principle of the Arms Trade Treaty. Viewed from this perspective, the international community requires a strong, effective and credible legal instrument that is capable of regulating and improving transparency in the trade of conventional arms and munitions, including the trading and licensing of technologies for their production.”<sup>vii</sup>*

**-Holy See on Arms Trade Treaty United Nations, 13<sup>th</sup> of February 2012**

*“It is a scandal that enormous amounts of money are spent on military budgets and toward providing weapons for allies and the arms trade while this money is urgently needed to eradicate poverty around the globe, and to fund an ecologically and socially responsible reorientation of the world economy. We urge the governments of this world to take immediate action to redirect their financial resources to programmes that foster life rather than death. We encourage the churches to adopt common strategies toward transforming economies. The churches must address more effectively irresponsible concentration of power and wealth as well as the disease of corruption. Steps toward just and sustainable economies include more effective rules for the financial market, the introduction of taxes on financial transactions and just trade relationships.”<sup>viii</sup>*

**-Message International Ecumenical Peace Convocation World Council of Churches, May 2011.**

*“To respect the sanctity of life and build peace among peoples, churches must work to strengthen international human rights law as well as treaties and instruments of mutual accountability and conflict resolution. To prevent deadly conflicts and mass killings, the proliferation of small arms and weapons of war must be stopped and reversed. Churches must build trust and collaborate with other communities of faith and people of different worldviews to reduce national capacities for waging war, eliminate weapons that put humanity and the planet at unprecedented risk, and generally delegitimize the institution of war.”*

**-Just Peace Companion, World Council of Churches<sup>ix</sup>**



# ARMS TRADE TREATY DE FACTO

Stijn Van Bever

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The poorly regulated trade in conventional arms and ammunition has enormous human costs. Every year, millions of people are killed, injured, raped, and forced to flee from their homes as a result armed groups who acquired weapons through negligent or irresponsible transfers. These transfers also fuel conflict, poverty, decline, and human rights abuses. Many others have to live under the constant threat of weapons.

In 2008, United Nations Secretary General Ban Ki Moon declared that “armed violence undermines development and impedes the achievement of the Millennium Development Goals”.<sup>x</sup> Non-government organisations and a growing number of governments are calling for a strong and robust Arms Trade Treaty. As governments prepare to meet in July 2012 for the final negotiations for an international Treaty, this document provides information on the vital components of a Treaty that can save lives, protect livelihoods, and prevent human rights abuses.

## **Timeline:**

In 1997, a group of Nobel Laureates, supported by civil society organizations worldwide, called for a Code of Conduct on International Arms Transfers. This code was based on the following principles:

- Respect for human rights and international humanitarian law.
- Commitment to regional peace, security and stability to promote.
- Abiding by international arms embargoes, sanctions and military measures for greater transparency.
- Resistance against terrorism.
- Promotion of sustainable development.

The Control Arms Campaign launched in 2003. Since then, this international coalition has been gathering worldwide support for the Arms Trade Treaty. Three years later, seven states co-author a General Assembly resolution to begin work on a Treaty at the United Nations. An overwhelming majority of 153 United Nations Member States vote in favour of an United Nations-process towards the establishment of an Arms Trade Treaty in December 2006. A successful consultation by United Nations Secretary-General Ban Ki Moon on the feasibility, scope and parameters of a Treaty, receives the views of 101 states, a majority of them calling for a comprehensive treaty based on international human rights law and international humanitarian law.

In December 2008, the United Nations General Assembly establishes an Open Ended Working Group for all United Nations Member States to further consider aspects of an eventual Treaty. The General assembly declares that work should continue on an Treaty. One year later, the UN General Assembly launches a time frame for the negotiation of the Arms Trade Treaty. Four preparatory meetings in 2010, 2011 and 2012 will clear the path for the final negotiating conference scheduled for July 2012.<sup>xi</sup>

## **Global principles for a strong and robust international Arms Trade Treaty.<sup>xii</sup>**

### **A. Accountability of States**

States with jurisdiction over any part of an international transfer of conventional arms or ammunition should ensure, on a case-by-case basis, prior to the authorization of any transfer, that it is in accordance with their national laws procedures that conform with states' obligations under international law.

Governments should be held accountable to existing standards of international law and the United Nations Charter. No international transfer of arms and ammunition should be admitted, if there is a substantial risk that it will be used to violate obligations under:

- The United Nations Charter, including United Nations arms embargoes.
- Any other treaty or decision by which that state is bound
- Universally binding principles of international humanitarian law

Armed conflicts are fuelled and prolonged by the proliferation of arms. Therefore sub-national, regional, international, multilateral, or international organizations have imposed arms embargoes on territories as well as non-state actors. Yet, embargoes have rarely been an effective instrument to stop the supply of arms. Despite territorial embargoes in Somalia and Sierra Leone and non-state actors in Democratic Republic of Congo, Sudan or Angola, arms have been supplied to armed forces, fuelling armed violence and conflict.<sup>xiii</sup> Violations on embargoes appear widespread and systematic.

The monitoring and implementation of embargoes cannot be deployed effectively as an instrument to prevent illicit arms trafficking, without better national controls on international arms transfers.

An effective Arms Trade Treaty would require all states to have national control systems for international transfers of conventional arms or ammunition based on agreed international standards, thus considerably reducing irresponsible arms transfers. An Arms Trade Treaty would also strengthen the implementation of United Nations arms embargoes by requiring States to incorporate their international obligations, such as United Nations embargoes, into their national legislation.

### **B. Legal Obligations and Global Norms: Ensuring Respect for International Human rights**

States should not authorize an international transfer of arms or ammunition where there is a substantial risk that they will:

- Breach the United Nations Charter and customary laws relating to the use of force.
- Be used in grave violations of international human rights law.
- Be used to commit acts of genocide or crimes against humanity.
- Facilitate terrorist attacks.
- Facilitate a pattern of gender-based violence, violent crime or be used for the commission of organized crime.
- Adversely affect regional security or stability, or contribute to the excessive and destabilizing accumulation of arms.
- Seriously impair poverty reduction or socio-economic development.
- Involve corrupt practices.
- Contravene other international, regional, or sub-regional commitments or decisions made, or agreements on non-proliferation, small arms, arms control, and disarmament to which states involved in the transfer are a party.

The three-week Israeli military offensive from 2008-2009 in Gaza resulted in more than 1,300 Palestinians killed and over 5,000 injured. A large number of these casualties were civilians, including many children. Also, three Israeli civilians were killed and 182 were injured by Hamas and other militant Palestinian groups firing rockets and mortars from Gaza.

Amnesty International has documented the use by the Israel Defence Forces of white phosphorous and other weapons supplied from abroad to carry out serious violations of international human law. This shows that many attacks were disproportionate or indiscriminate, and others were directed at civilians, schools and humanitarian operations. At least 11 different states have supplied arms and related materials to Israel since 2001, and others have served as major transit countries. Hamas and other Palestinian armed groups fired hundreds of rockets at civilian population centres in southern Israel; these rockets had been smuggled in or made of components from abroad. Such indiscriminate rocket attacks constituted serious violations of international human law.

An effective Arms Trade Treaty should require states to ensure that their national laws and procedures conform to their existing obligations under international law. This includes the obligation to ‘respect and ensure respect for’ international humanitarian law, which prevents states from transferring weapons where there is a substantial risk that they will be used for serious violations of international human law. This responsibility should apply to all States involved, including importers, exporters, transit or transferring states.

The human and economic costs of armed violence are tremendous. It can trigger forced displacement, erode social capital, and destroy infrastructure. It can impede investment in reconstruction and reconciliation. The 2011 Global Burden of Armed Violence Report

(Geneva Declaration) examines the complex relationship between armed violence and development. Armed violence is not only a cause of underdevelopment; it is also a consequence of it. Risk factors of armed violence such as weak institutions, systemic economic and horizontal inequalities, exclusion of minority groups, unequal gender relations, limited education opportunities, persistent unemployment, organized crime, and the availability of illicit firearms and drugs can all be associated in one form or another with challenges of underdevelopment.

Irresponsible transfers of arms, including those diverted from their intended end-user to other countries, undermine many countries' poverty reduction efforts. An effective Arms Trade Treaty would help address this by including criteria for examining on a case-by-case basis the negative impacts of each arms transfer on the socio-economic development of the recipient country.

### C. A Comprehensive Scope: Equipment and Transfers

If the Arms Trade Treaty is to be effective, it must regulate the international transfer of the items actually being used to fuel violent conflict, to commit serious violations of international human rights law and humanitarian law, to undermine poverty reduction and socio-economic development, is in violation of United Nations Charter obligations, are used in terrorist attacks, and are in connection with violent and organised crime. Such items include:

- All conventional military, security and police armaments, weapons and related materiel of all types, including small arms and light weapons; conventional ammunition and explosives used for the aforementioned; internal security weapons, ammunition and equipment deployed in the use of force; components, expertise, and equipment essential for the production, maintenance, and use of the aforementioned; and dual-use items that can have a military, security, and police application.

### **Ammunition**

Each year, 12 billion bullets are produced, two bullets per person in the world. Ammunition is the most lethal part of a weapon system (arms cannot kill without bullets) and a prerequisite for armed actions. Ammunition flows therefore are a determining factor to either end or prolong armed violence, conflict and crime.

Although several states object the implication of ammunition in the Arms Trade Treaty, a significant number of states – all major arms exporting governments - already regulate the activities related to ammunition: from manufacture to transfer, from transit to re-export, from brokering to commercial trade. Even the United States, one of the main opponents of the implication of ammunition in the Arms Trade Treaty, places export

controls over transfers of ammunition, ordnance, components, explosives and propellants for SALW, controls that include direct transfers, re-exports, licensed production and brokering activities.<sup>xiv</sup>

The inclusion of ammunition into the scope of the Arms Trade Treaty is essential to deliver on its humanitarian imperative to protect the victims of armed violence around the globe. The exclusion of ammunition would severely limit realization of the Treaty's main objectives. An Arms Trade Treaty not covering ammunition would establish an international standard below national and regional practice.

## **Security Equipment**

The recent events in the Middle East and North Africa have shown how a wide range of security equipment can be persistently misused for serious violations of human rights and excessive or unlawful use of force, often with lethal consequences.

Therefore, an effective Arms Trade Treaty must ensure that States rigorously control the export, import and international transfer of all relevant types of weapons, munitions, armaments and related material/items, including the conventional arms used in internal security operations that can result in death and serious injury.

To avoid the creation of loopholes, the definition of international transfer in the Treaty should include a broad definition of the forms of transfer and types of transactions integral to such transfers. The term “international transfers” means the transfer, shipment, or other movement, of whatever form, of arms from or across the territory of a state. An international arms transfer may also occur without the movement of equipment across state frontiers if a state, or its agent, is granted title and control over the equipment in the territory of the supplier state.

The Treaty should include control mechanisms to monitor:

- All conventional arms and ammunition imports, exports, re-exports, temporary transfers, transit, transshipments, retransfers, state-to-state transfers; state-to-private end-user transfers, commercial sales; leases; transfers of licensed foreign arms production and technology; loans, gifts or aid; or any other form of international transfer of arms and related material of all types.
- All transactions for the international transfer of conventional arms and ammunition by: dealers or sales agents; arms brokers; those providing for technical assistance, training, transport, freight forwarding, storage, finance, insurance, maintenance, security and other services integral to such transfers.

## Arms Brokers

Ukrainian arms broker Leonid Minim was arrested in August 2000 in Italy and charged with arms trafficking<sup>xv</sup>. Ukrainian weapons were sent to Burkina Faso using false end-user certificates. In Burkina Faso the weapons were shipped to Liberia in an aircraft owned by Minim. Later they were to the Revolutionary United Front (RUF) in Sierra Leone.

Leonid Minim was later released on the grounds that the prosecution lacked jurisdiction on Minim's arms trafficking activities because the arms transfers did not pass through Italy.

This case illustrates the need for comprehensive national control mechanisms based on agreed common standards. These national controls should cover brokering activities as well as closely related activities such as transport, logistics, technical services and finance. A strong and effective Arms Trade Treaty would require that each transaction of an arms broker or other intermediary be authorized by all States involved before a transaction is allowed to proceed.

### D. Implementation of the Arms Trade Treaty

*“The credibility and success of every treaty depends on the extent to which States, and the broader public, can see how Treaty obligations are being implemented in practice.”*

The Arms Trade Treaty should suggest minimum requirements for national implementation. There should be provisions for transparency and mechanisms for monitoring, review and amendment. Procedures should be specified relating to possible implementation problems, such as the identification of states' needs and provision of technical cooperation and assistance, and for the clarification of compliance issues and resolution of disputes. Specific criteria should also be laid down for the Treaty's entry into force.

- National Implementation

Practical day-to-day implementation of the Arms Trade Treaty will be carried out by national authorities. The Treaty will require effective national control mechanisms for international transfers of arms including:

- Clear and comprehensive national legislation and systems fulfilling all Treaty obligations which define legal powers (including extra-territorial jurisdiction and universal application), criminalize breaches and define sanctions and penalties.

- Administrative systems for assessing and authorizing/refusing proposed international arms transfers in accordance with the provisions of the Treaty.
- Effective mechanisms, including resources and capacity for monitoring and enforcing compliance of the treaty, including customs, border controls and other enforcement and judicial entities.
- National systems for collation, storage, and retrieval of comprehensive data on international arms transfers and license authorizations/denials within States Parties' jurisdictions.
- Authenticated end-user documentation and follow-up procedures to prevent diversion through verification of lawful delivery, effective stockpile security, and authorized end-use.

- Transparency Mechanisms

An Arms Trade Treaty should oblige states to publish accurate, comprehensive national reports on international transfers of conventional arms and steps taken to implement the Treaty. Information relating to the former should be produced, at a minimum, on an annual basis; information relating to the latter would be provided in comprehensive terms in states' first national reports with updates and changes notified subsequently when relevant.

- Monitoring and Review Mechanisms and Institutions

A minimum international institutional requirement would be for an annual Meeting of States Parties (MSP) as the main Treaty oversight and decision-making body. The MSP would address matters of status or implementation of the Treaty, either in annual plenary session or through meetings of specially-convened subsidiary committees.

Provision should also be made for a formal Treaty Review Conference (RevCon) every five years. The possibility of future amendment to the Treaty should be enabled through Amendment Conferences or other procedures as agreed by the MSP.

An independent Treaty institution, such as an Arms Trade Treaty Implementation Support Unit (ISU), should be established in order to fulfil Treaty-related functions. Civil society should be encouraged to make a positive contribution to the Arms Trade Treaty regime by providing information relevant to Treaty implementation to the appropriate state authorities.



- Consultation, Compliance Clarification and Dispute-Settlement Provisions

The Arms Trade Treaty should provide means for clarifying and addressing problems of compliance. The MSP should be at liberty to mandate a subsidiary committee, group of experts, the ISU, or other body to investigate questions of serious implementation failure. Once that body establishes the relevant facts, the MSP would decide an appropriate course of action.

Where all co-operative means to resolve an implementation failure have been exhausted and a state is confirmed to be in persistent and flagrant violation of an Arms Trade Treaty, recourse to dispute-settlement procedures may be necessary. This should include the possibility of referral to an external body, such as the International Court of Justice. To ensure confidence is maintained in the operation of the Treaty, the outcome of any compliance investigation must be made public.

- Technical co-operation and assistance

The Arms Trade Treaty should include a comprehensive framework for international co-operation and support, whereby states can request and receive implementation assistance from other states and relevant international, regional, and sub-regional bodies.

- Entry into Force

Entry into force should not be dependent on ratification by any one country or specific group of countries. It should be based on the minimum number necessary for the Treaty to be workable, for example, 30 state ratifications.

#### E. International Cooperation and Assistance

The Arms Trade Treaty should include a comprehensive framework for international cooperation and support, within which states can request and receive assistance from other interested states and relevant international, regional, and sub-regional organizations in order to facilitate full implementation of their Treaty obligations.

#### *Article 26: Cooperation Within and Among States*

*1. Member States undertake to promote intra and inter-state cooperation in the implementation of this Convention. To this effect:*

*a) The ECOWAS Executive Secretary shall prepare procedures for interstate cooperation between security forces, the services in charge of border controls and all other services concerned, in the spirit of this Convention.*

*b) The ECOWAS Executive Secretary shall facilitate and seek assistance for the training of officials in intra- and interstate cooperation.*

**-Excerpt from the “ECOWAS Convention on Small Arms and Light Weapons, their ammunition and other related materials”**

# ARMS TRADE TREATY CAMPAIGNING

Stijn Van Bever

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Now that the Preparatory Committee IV session ended in February 2011, we are in the last months before the final negotiations will take place in July 2012 at the United Nations headquarters in New York.

All support is welcomed as we count down the remaining days. We invite you to write letters to your political leaders, to inform your network, to plan activities, and to use your imagination to share the message that a strong Arms Trade Treaty is needed. Together, we can increase momentum toward July!

## **The Commitment of Pax Christi International Member Organisations**

Member Organisations have more than 60 years of Pax Christi International's dynamic experience in promoting arms control and disarmament. Many Member Organisations of Pax Christi International also work on the community level in most countries that could benefit or suffer from the quality of the Arms Trade Treaty. The strengths of our network are unity amongst itself, solidarity with other parts of society, and utilizing this unity in the pursuance of the common good. If minorities within civil society speak, change will most likely not occur. However, when majorities across society unite – women's groups, youth groups, elected officials, police, parliamentarians – their unity makes a difference. When Pax Christi International adds its voice to civil society and speaks in unity it makes a difference too.

Now is the time to bring more security through the control of arms, to prevent violence experienced by people in communities throughout the world, which is ultimately an implicit threat to us all. The scope and the depth of an Arms Trade Treaty will provide for further progress in reducing unlawful uses of illicit arms. The negative consequences of conflict on development are well documented, so now is the time to control the movement of arms and to invest in sustainable development.

If we lose sight of how weapons are actually used and abused in our world, we will not meet the needs of our suffering and vulnerable sisters and brothers.

## **Campaigning for the Arms Trade Treaty**

Pax Christi International has joined the Control Arms Campaign in putting pressure on governments to endorse the Arms Trade Treaty. At a regional and national level Pax Christi Member Organisations are heavily involved in pressuring their own governments to do the same. More information on the campaign is available at [www.controlarms.org](http://www.controlarms.org).

Pax Christi International participates in an ecumenical working group on the Treaty. Given the faith origins of civil society, the project will focus on issues that define the humanitarian scope of the Treaty. These include human rights, international humanitarian law, sustainable development, inclusion of small arms and ammunition in the treaty, and provisions to address gender-based violence and survivor assistance. About 60 participants from 29 countries are active in the working group.

Pax Christi International and its Member Organizations have also been involved with two major interfaith campaigns for a strong arms trade treaty. Members have been asked to endorse and support the efforts of these missions: the [Control Arms Interfaith Campaign](#) and the Ecumenical Campaign for a Strong and Robust Arms Trade Treaty. They both present a unique opportunity for individuals and their religious communities to be involved and to support the end of the illegal transfer of arms and munitions. The entire appeal can be read at Ref.: [2011-0575-en-gl-SD](#).

*“Every gun that is made, every warship launched, every rocket fired signifies, in the final sense, a theft from those who hunger and are not fed, those who are cold and are not clothed. This world in arms is not spending money alone. It is spending the sweat of its labourers, the genius of its scientists, the hopes of its children... This is not a way of life at all, in any true sense. Under the cloud of threatening war, it is humanity hanging from a cross of iron.”*

**-Former United States President Dwight Eisenhower**

Members of Pax Christi International that are eye-witnesses to the harmful effects of these weapons have long advocated for international regulation that will reduce the suffering caused by easy access to small arms. In 2012, the world’s governments will gather in New York to negotiate a legally binding international treaty on conventional weapons and ammunitions trade.

Join us to demand a strong and robust Arms Trade Treaty that will save lives, reduce human suffering and stop weapons that prolong conflict.

## **“Counting Down 100” Days and “Speak Out”**

On the 26<sup>th</sup> of March 2012, there will be 100 days left until the Arms Trade Treaty negotiations begin. Control Arms will then launch a “Counting Down 100 days” campaign. An Action Pack will be released, which includes messages and methods you can use to create your own plans of action. Control Arms will feature an action or story on the Control Arms website each day. If you’re planning activities, or you want to share your story, please contact Control Arms.

“Speak Out” is the popular mobilization campaign of the Control Arms coalition. It runs on the momentum it built from the 2006 “Million Faces” petition, in which one million people submitted photos of themselves as endorsements of starting negotiations on an

Arms Trade Treaty. Now that the final treaty negotiations are only months away, Control Arms is asking supporters to speak out.

Visit the [Speak Out](#) website to add your support, publicize the number of participants of your events, or collect more endorsements for your declaration.

Please visit the [Control Arms](#) website for more information and we will keep you informed.

## **Global Week of Action against Gun Violence**

The [Global Week of Action against Gun Violence](#) 2012 will take place from the 11<sup>th</sup> to the 17<sup>th</sup> of June. Every year, activists from all over the world join the Week of Action. This gathering demonstrates the strength of the global movement against gun violence and advocates stopping the proliferation and misuse of small arms and light weapons. This year's Global Week of Action will focus on the Arms Trade Treaty. As the Global Week of Action will be just before the final negotiations of the Arms Trade Treaty, this is a good moment for action. Visit [IANSA's website](#) for more information and materials.

## **Ecumenical Campaign for a Strong Arms Trade Treaty**

As grassroots-based structures working in communities, churches bear witness to the brutal consequences of armed violence and are often directly involved in ministry and care for people affected by this violence. The role of the churches should be to mobilize the communities as well as to bring the experiences and stories from the ground to the level of decision makers.

The World Council of Churches invites churches and religious organizations to demand a strong and effective Arms Trade Treaty that will save lives, reduce human suffering, and prevent the prolongation conflict. As stated by the World Council of Churches, the Arms Trade Treaty must contain unequivocal criteria for arms transfers and to be effective, the Arms Trade Treaty should cover the following issues:

- Inclusion of Human Rights Law and International Humanitarian Law
- Inclusion of Small Arms and Light Weapons (SALW), ammunition and parts in the scope of the Arms Trade Treaty
- Inclusion of strong and effective language on the impact arms have on gender-based violence
- Inclusion of measures for survivor assistance

More information on the WCC campaign can be found on their [website](#).

We encourage you to take a look at the brochure “[The Human Scope of the Arms Trade Treaty](#)”, a compilation of personal testimonies demonstrating the human consequences of the arms trade and the direct impact that conventional weapons have on the lives of people around the world.

## **Write a campaign letter**

An effective way to inform your members of government on the consequences of an uncontrolled arms trade and to urge them to support the negotiation process for the Arms Trade Treaty is to write them a letter. You can include your concerns and your recommendations for a strong and robust Treaty, ask your representatives to persuade their colleagues to support the treaty and at the same time ask them to sign the [Control Arms parliamentary declaration](#). We will include a model letter you can adapt and use to send to the head of your nation’s foreign affairs or to your representative to the government .

[LOGO]

Location

Date

Dear.....,

The poorly regulated trade in conventional arms and ammunition has enormous human costs. Every year, millions of people worldwide are affected by the direct and indirect consequences of the irresponsible arms trade. Thousands of people are killed, injured, raped, and forced to flee from their homes as a result of irresponsible arms transfers.

United Nations is currently crafting an Arms Trade Treaty. This would be the first global treaty to control the international arms trade. The last Preparatory Committee concluded on February 17<sup>th</sup>; the final negotiations will take place in July.

We believe that a strong and robust Arms Trade Treaty can reduce the terrible human toll which is a direct consequence of this poorly regulated trade. To be effective, an Arms Trade Treaty should establish that no international transfer of arms and ammunition will be authorized if there is a substantial risk that the weapons will be used to commit or facilitate serious violations of international human rights or humanitarian law, or will seriously impair poverty reduction or socio-economic development.

The scope of an effective Arms Trade Treaty should be comprehensive. It should include all international transfers of conventional weapons, in particular small arms and light weapons, ammunition and equipment used to deploy potentially lethal force in military and internal security operations.

As the quality of the treaty is crucial by its implementation, we request that our government will immediately implement and enforce domestic law, giving effect to the Arms Trade Treaty. Finally, we want the Arms Trade Treaty to include a comprehensive framework for international cooperation and support, in order to assist states to implement the Arms Trade Treaty.

A strong and robust Arms Trade Treaty will save lives. Therefore we call upon you as our Member of Parliament and Minister of Foreign Affairs to strongly support this negotiation process.

Sincerely,

# PASTORAL AND LITURGICAL SUGGESTIONS

Fr. Jan van den Berghe  
Liturgy for the 17<sup>th</sup> of June 2012

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In today's gospel, we will hear two short stories. In chapter four of the gospel of Saint Mark, Jesus talks about his method. He tells his disciples stories to strengthen their faith and confidence in his non-violence philosophy. He hopes that his disciples will act with the same ample confidence he sows on his path.

In today's celebration, we connect this idea to an invitation Pax Christi gives you. In a few weeks, the negotiations for the first international Arms Trade Treaty will come to an end. For several years, peace movements all over the world have lobbied for a broad and strong treaty.

It's quite clear: the fewer weapons, the more safety there is in the world. The incredible amount of money, time, and energy that are spent on weapons and arms trade would be of better service if it goes to projects that are helpful to people.

## **Opening prayer**

You are the Lord of all of us.  
You do not distinguish between us:  
the last one means as much  
to you as the first one.  
Let us just long to be humans,  
together with all humans,  
under the space of your sky,  
on this fertile earth  
that You gave to all of us.



## Readings of the 11<sup>th</sup> Sunday B

*The first reading and the gospel both deal with the idea of “a small beginning”.*

### Homily

It's a pity that the United States, Russia, and China will not participate in this. And that the new arms trade treaty will not be as broad and as strong as we wish it should be. These are certain.

There are reasons enough to doubt whether all our actions will have any effect. We are such a very small David, fighting against very tall Goliath. Those who make and sell weapons are so extremely powerful! It seems like you can never win against them. Indeed, you can look at it this way.

Luckily, there is another way of looking at the situation. Today's gospel invites us to believe in the value of small beginnings; the power of the mustard seed. Jesus invites us to start from that faith, from that confidence that this is the only way to make the Kingdom of God grow. Justice and peace, friendship and solidarity – a world in which God is obeyed, in favour of the joy and happiness of mankind – can only be realized that way. The word of God – each word that stimulates faith and confidence – is sown somewhere. And each time it bears fruit.

Every beginning is small. This is how it went in the banishment of landmines and cluster munitions. Someone had an idea. Others picked it up. A Peace Week was organized on this subject, in Belgium, in Austria. And the ball was set rolling... No, not all landmines have gone, but the result is not that small! To learn more about these two actions, at the end of this celebration there will be a report explaining it in short. In that same report you will find more information about today's campaign for a strong and broad international arms trade treaty. To reintegrate today's sentiment: less weapons in the world means more wellbeing and more money for things that this world really needs.

Vaclav Havel once said, “Hope is definitely not the same thing as optimism. It is not the conviction that something will turn out well. It is the certainty that something makes sense, regardless of how it turns out”. We will soon know what the short term results of our actions will be. But in the long term? We will not know for sure. But we know that what we are doing makes sense. We hope that the next generations and those who now live in misery will be better because of it. And that the Kingdom of God may come into this world today.

## **Confession of faith**

*(Bolded portions are said by the congregation)*

I shall not believe  
in the law of the jungle,  
in the language of weapons,  
in the power of the mighty.  
**I shall believe in the right of every human being,  
in the open hand,  
in the power of nonviolence.**

I shall not believe  
in race or richness,  
in privileges or the established order.  
**I shall believe that all humans are humans,  
that the order of power and injustice  
in fact is disorder.**

I shall not believe  
that I have nothing to do  
with what is going on far away.  
**I shall believe that the whole world is my home  
and the field on which I sow,  
that all shall harvest what all have sown.**

I shall not believe  
that I can fight oppression there  
when I let injustice exist here.  
**I shall believe that justice is one here and there,  
and that I am not free  
as long as one human being is a slave.**

I shall not believe  
that hunger and war are inevitable  
that peace is unattainable.  
**I shall believe in the small deed,  
in love that seems powerless,  
in peace on earth.**

I shall not believe  
that all efforts are in vain.

I shall not believe  
that the human dream  
will remain a dream,  
that death will be the end.  
**I dare believe in the dream of God himself,  
a new heaven, a new earth,  
where justice will dwell.**

### **Prayers of intercession**

For those, in the days passed, who have been killed by the use of weapons [*a moment of silence*], and for those who mourn because of their loved ones' death [*a moment of silence*].  
Let us pray.

For perseverance for those who at the highest levels strive for a strong and broad international Arms Trade Treaty. Let us pray.

For good cooperation amongst people belonging to different religions and philosophies, working for justice and peace, and for a world with many less weapons. Let us pray.

For parents, educators, and teachers, who teach young people to believe in the power of active non-violence. Let us pray.

And for ourselves, not for much faith, but for a bit of faith, just enough to do today what we can do today, in favour of a better world for anyone. Let us pray.

### **Prayer over the gifts**

You do not call peace  
what we usually call peace.  
You do not resign yourself to our evil.  
You bring fire to the earth  
and the sword of decision.  
Let us not search for false peace,  
not hold our tongue out of self preservation  
and not submit to violence,  
but raise our voices  
for the poor and people without rights.  
Let us hunger and thirst  
and look for justice,  
your peace on earth  
for everyone.

## **Prayer after communion**

You do not accept a world like this one  
where need and abundance coexist  
and the weak still always is oppressed.  
You want all this to change.  
Inspire us with your Spirit  
of service and respect.  
Make us persistent and inventive  
in our concern over humanity.  
Make us confident  
about the human being and his future,  
You, who are the God of mankind and its future.

## **Additional texts**

### **1. Prayers are not Given**

*(Bolded portions are said by the congregation)*

Praying is not given to me  
when I see peoples trampled down.  
There is a cursing within me.  
**Let then that cursing be my praying.**

Praying is not given to me  
when I see children abused.  
There is a crying within me.  
**Let then that crying be my praying.**

Praying is not given to me  
when I see refugees driven out.  
There is a storming within me.  
**Let then that storming be my praying.**

Prayer is not given to me  
when I see capital reign.  
There is something breaking within me.  
**Let then that breaking be my praying.**

Praying is given to me  
**when I may curse**  
**when I can cry**  
**when I dare storm**  
**when I learn to break**

**because of so much injustice  
of so much misery.**

*(Luc Vankrunkelsven, Bidde is mij niet gegeven)*

## **2. Resistance doesn't begin with big words**

Resistance doesn't begin with big words  
but with small deeds

like a storm with a soft rattling in the garden  
or a cat that gets a bit mad in the head

like wide rivers  
with a small spring  
hidden away in a forest

like a sea of fire  
with the same wooden match  
that lights a cigarette

like love with but one look  
a touching of something you notice in a voice

asking yourself a question  
with this begins resistance

and then to ask another that question

*Remco Campert, Verzet begint niet met grote woorden (1929)*

## REFERENCES

- 
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- <sup>ii</sup> Extract taken from the “Compendium of the Social Doctrine of the Church.” Pontifical Council for Justice and Peace. Page 287. Paragraph 511, 2004.
- <sup>iii</sup> Extracts taken from “The International Arms Trade. An ethical reflection.” Pontifical Council for Justice and Peace, Vatican City, 1994.
- <sup>iv</sup> Cf. Treaty on the Non-Proliferation of Nuclear Weapons (1968); convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (1972); Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (1993).
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- <sup>xi</sup> <http://www.controlarms.org>
- <sup>xii</sup> Technical information on the Arms Trade Treaty was mainly drawn from Control Arms briefing papers.
- <sup>xiii</sup> Control Arms, UN arms embargoes: an overview of the last ten years, 2006, p.10
- <sup>xiv</sup> Hilde Wallacher & Alexander Harang, Small but lethal – Small arms, ammunition and the Arms Trade Treaty, PRIO, 2011.
- <sup>xv</sup> Control Arms, UN arms embargoes: an overview of the last ten years, 2006, p.4