

Ms. Debbie Hillier's Speech

Thank you, and it's a pleasure to be here today, launching our new report – Dying for Action: Decision time for an urgent effective ATT.

This report is published by Oxfam on behalf of 11 other NGOs from North and South, representing communities all over the world.

We see the impact of armed violence in our work every day. We work in countries affected by conflict and by crime, we work directly with communities to try and improve the lives of poor men, women and children, through addressing both sides of the same coin – security and development.

Every conflict is unique. Every lawless city or region needs its own solution. But one universal route to reducing armed violence is to limit the flows of weapons and ammunition in circulation around the world.

Jan Egeland, who as Under Secretary General for Humanitarian Affairs, has seen first hand the impacts of armed violence, has written the Foreword for the report and whose video message follows shortly. He has said that "Only a forceful, unambiguous and verifiable convention can control arms transfers". We agree, and we want this ATT now.

Since the ATT process began, Oxfam estimates that 2.1 million people have died either directly or indirectly as a result of armed violence.

Inevitably the figure of 2.1 million deaths is a broad estimate. But it brings into sharp relief the appalling results of armed violence which civil society organisations see every day.

The huge cost of armed violence goes much wider than the number of deaths to include

- 16 million people severely injured each year,
- Countless with deep psychological trauma
- Hundreds of thousands of women raped
- And millions displaced – UNHCR figures show that 42 million people were displaced by conflict and persecution at the end of 2008

Armed violence impacts comprehensively on development - preventing access to education and health care, draining limited resources at government and household level, resulting in people malnourished and more prone to disease.

Irresponsible arms transfers which feed this armed violence thus undermine many governments' efforts to meet the Millennium Development Goals.

So we need an Arms Trade Treaty now.

But we don't want any old ATT. We want an ATT with the humanitarian imperative at its heart. Yes it must have comprehensive scope, yes it must have detailed and robust implementation measures, but it is critical that the parameters of the treaty are based on international law and standards.

An ATT would *not* impede a state's right to acquire arms to be used for legitimate self-defence and law enforcement purposes, when used in accordance with international law and standards.

But it *would* make it significantly harder to obtain arms and ammunition for those responsible for many of the world's war crimes and human rights abuses, and make it harder for weapons to fuel conflict or corruption worldwide.

NGOs want an ATT which includes the following criteria against which any potential arms transfer should be considered:

1. Be used in serious violations of human rights, IHL, genocide, or crimes against humanity;
2. Facilitate terrorist attacks, gender-based violence, or violent or organised crime;
3. Violate UN Charter obligations, including arms embargoes, or rules relating to the use of force;
4. Adversely affect regional security;
5. Seriously impair socio-economic development;
6. Involve corrupt practices;
7. Breach other relevant arms control agreements; or
8. Be diverted from its stated recipient.

Each transfer should be assessed on a case by case basis against these criteria. The ATT would create a legal obligation for states to seriously consider the risk that arms would be used for any of these purposes. If the state can satisfy itself that there is no substantial risk that the arms transfer would lead to – for example, human rights abuses or organised crime – then the transfer could go ahead. If this assurance cannot be achieved, then the transfer would be prohibited.

I'll now give just a few examples of the kinds of arms transfers that the ATT would have stopped.

Example 1. We've heard a lot about the need to prevent arms being diverted into the illicit trade – and that is exactly what an effective ATT would do.

As I have just said, an ATT would make it a legal requirement for states to consider the risk of diversion and seek assurances that the arms would not be diverted.

Unfortunately this was not the case for arms exports from France, Israel and Serbia to Chad in 2006.

One shipment from Serbia in 2006 was 48 tonnes of ammunition worth nearly \$1m. This transfer went ahead despite clear warnings from the UN Panel of Experts in Sudan of the substantial risk of diversion to armed groups in Sudan.

Indeed, the Panel have clear evidence of diversion to Sudan - some of the Serbian ammunition was found loaded in a Galil rifle seized from JEM fighters.

Example 2. Another example of an arms transfer that would not be permitted under an ATT was the 53 tons of 7.62mm small arms ammunition flown from Kinshasa and Lubumbashi in the DRC to Zimbabwe aboard a DRC-registered aircraft in August last year. A considerable amount of ammunition, and a substantial risk of being used for human rights abuses.

Example 3. The ATT would also stop arms transfers which might undermine development.

In Burundi's civil war, 300,000 people were killed and at least one million displaced. The economic cost of the conflict has been estimated at \$5.7bn. There is no arms production in Burundi, so the arms used in the conflict were brought in, mostly from neighbouring countries.

So we need an Arms Trade Treaty to prevent these irresponsible arms transfers and thus increase the protection for civilians worldwide. It is time for governments to act. We know that where there is political will, Governments **can** act fast.

- For example, in the global financial crisis, major economies offered 43% of their GDP to bail out the financial sector, only 5 months after the crisis peaked.

- And 17 days after 9/11, the UN Security Council, with the force of international law, ordered all states to freeze the funds and financial assets of anyone connected with terrorism.

Of course we don't just need fast action, we need action to produce an effective treaty. And again, if the political will is there, this can be achieved. For example,

- The 1997 landmines treaty has helped to cut the annual casualties from landmines by more than two-thirds and reduce the trade in landmines to almost zero.
- The 1987 Montreal Protocol on substances that deplete the ozone layer has been described by many, including Kofi Annan, as perhaps the most successful international agreement to date, primarily due to its widespread adoption and implementation. The most recent scientific evaluation states, "The Montreal Protocol is working: There is clear evidence of a decrease in the atmospheric burden of ozone-depleting substances and some early signs of stratospheric ozone recovery."

When governments decide to act, issues can move from the slow lane to the fast lane of international diplomacy.

- That is exactly what has happened in the nuclear field with Presidents Obama and Medvedev committing to negotiate a new arms control treaty within months, not years. Huge challenges remain, but the US and Russia have *chosen* to put the prospect of a nuclear-free world onto the serious diplomatic agenda. Is it less important to control the conventional arms that currently kill hundreds of thousands of people every year?
- Decision time on an ATT is now. It must go ahead – there is overwhelming support from the majority of states for an effective ATT, as demonstrated in the Secretary General's consultation in 2007, and in the Open-ended working group.
- And it needs to be done now – the pace of international diplomacy is too slow for many. 2.1 million people have died due to armed violence since the UN started its deliberations on an ATT - that is 2000 per day.

The irresponsible arms trade affects ALL states – whether exporters, importers, or arms-affected states or a combination. Those who export arms must work with arms-affected states to develop an ATT that would stem the flow of weapons. To fail to do so would hold to ransom all the work that these arms affected states are doing on the ground to stem the demand for weapons, and remove weapons from circulation. All views must be heard, but an urgent effective treaty is what is needed. Universalisation, whilst highly desirable, must not come at too high a price.

States must agree a resolution this week that sets out the process to achieve an ATT. This resolution must contain three key elements

- States must agree to start negotiations now. We have already had 3 years of deliberations. In the UN, this may be quick work but let me assure you that in the real world, your electorates and those affected by armed violence do not see it this way.
- states must agree to conclude the ATT by 2012 – This would be 3 years from now. This is a realistic timeframe – the UN Convention on Transnational Organised Crime and the UN Convention on Corruption were both negotiated in two years. And there's a certain poetry here – 3 years of discussions and 3 years of negotiations.
- as I said earlier, NGOS do not want any old treaty, we want a well-considered, thought-through treaty. We believe that this requires more time for deliberations. The treaties I just mentioned had many more weeks of negotiations – 11 weeks

for the Convention on Transnational Organised Crime and 13.5 weeks for the Convention on Corruption. To try and curtail the number of weeks of PrepComs is neither realistic nor strategic. We understand that there are concerns over times and budgets, but this cannot be used as an excuse to overlook the need for sensible debate. Where there's the will, time and budget can be found.

Let me conclude by saying that there is an urgent need for an effective ATT. And decision time is now. This is the opportunity for states to seize the moment and build the momentum towards a treaty which will save many lives and deliver lasting protection for civilians for the years to come.

Many thanks.