

KILLER FACTS

THE IMPACT OF THE
IRRESPONSIBLE ARMS
TRADE ON LIVES, RIGHTS
AND LIVELIHOODS

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INTRODUCTION

The poorly regulated global trade in conventional arms and ammunition has an enormous human cost. Every day, thousands of people are killed, injured, raped and forced to flee from their homes as a result of conflict, armed violence, and human rights violations and abuses perpetrated using conventional arms. Inadequate and loophole-ridden regulation of international transfers of arms and ammunition permits weapons to be supplied to those violating human rights: destroying lives and threatening livelihoods. As governments prepare to meet in July 2010 for the first Preparatory Committee for negotiations for an international Arms Trade Treaty, this short document is intended to provide some basic facts and figures on the impact of armed conflict, armed violence and human rights violations perpetrated using conventional arms.

128 armed conflicts since 1989 have resulted in at least 250,000 deaths each year

In addition, there are an estimated 300,000 armed killings outside of conflict each year

Injuries are likely to be even more numerous than deaths in conflict and armed violence

About 60% of human rights violations documented by Amnesty International have involved the use of small arms and light weapons

26 million people worldwide were internally displaced as a result of armed conflict at the end of 2008

All of the top six countries of origin of refugees in 2008 are locations of armed conflict

Child soldiers have been actively involved in armed conflict in government forces or non-state armed groups in 19 countries or territories since 2004

AT LEAST 250,000 LIVES LOST DUE TO ARMED CONFLICT EACH YEAR

The Uppsala Conflict Data Program has tracked a total of **128 armed conflicts between and within states around the world since 1989**. According to the Program's data, "the widely reported general decline in the number of armed conflicts...in the mid-1990s has now clearly ceased, with the number of recorded conflicts during the last few years fluctuating minimally around 30." During 2008, **16 major armed conflicts** – two more than in 2007 - **and a further 20 other active armed conflicts** were waged in **26 countries** worldwide.¹

A global analysis of reported deaths in armed conflict found that between 2004 and 2007, at least 208,300 violent deaths were recorded in armed conflicts: **an average of 52,000 people killed per year**. Unrecorded deaths – highly likely in the often inaccessible and insecure environments of armed conflict - mean that the real total may be much higher.²

Armed conflict produces an even greater toll of indirect deaths, as those affected by armed conflict are frequently displaced; subject to the destruction of social and economic infrastructure; and denied rights and access to healthcare, water, food and shelter; leading to rising malnutrition, starvation and otherwise preventable diseases. Evidence from epidemiological surveys suggests that between 2004 and 2007 **at least 200,000 indirect deaths resulted from armed conflict every year, and possibly far more**: some surveys of the Democratic Republic of Congo suggest that an average of as many as 400,000 direct and indirect conflict deaths may have resulted each year since 2002 in that single country alone.³

300,000 ARMED KILLINGS OUTSIDE OF CONFLICT EACH YEAR

Deaths and human rights violations as a result of non-conflict armed violence likely outweigh those caused by armed conflict. This includes armed homicides and other armed crime, unlawful killings and the excessive use of force by state security forces, and pervasive violence against women involving the use or threatened use of firearms. An estimated 490,000 non-conflict killings have taken place worldwide each year in recent years, of which an average of 60% - **perhaps 300,000 each year** – are estimated to have been perpetrated using firearms.⁴

CONFLICT INJURIES ARE LIKELY TO BE MORE NUMEROUS THAN CONFLICT DEATHS

Injuries resulting from conflict are difficult to estimate, due to inadequate collection and categorisation of data in public health statistics and armed violence

reporting. However, a review of medical literature on conflict deaths between 1940 and 1993 found that ratios of reported battlefield injuries to deaths have varied from 1.9 to 27.8 injuries to every death.⁵

HUMAN RIGHTS VIOLATIONS AND ABUSES FACILITATED BY CONVENTIONAL ARMS

Beyond killing, weapons are used to perpetrate thousands of human rights violations and abuses each year, from torture and rape to arbitrary arrests and denials of the rights to freedom of expression, movement, education and shelter. **60% of all individual cases of human rights violations and abuses documented by Amnesty International between 1991 and 2002 in a sample of 10 countries, both within and outside of armed conflict, directly involved the documented use of small arms and light weapons.**⁶ This is likely an underestimate of the human rights toll of conventional arms.⁷

As well as the direct use of weapons in violating rights, armed conflict and armed violence also indirectly generate massive human rights violations and abuses. These include:

- ***the use of child soldiers***: although their numbers are difficult to estimate, thousands of children in **19 countries or territories between April 2004 and October 2007** were actively involved in armed conflict in government forces or non-state armed groups, jeopardising their physical and mental integrity.⁸

- ***violations resulting from displacement of people and communities***: the UN High Commission for Refugees (UNHCR) estimated in 2008 that **26 million people worldwide were internally displaced as a result of armed conflict**, a figure which has increased over the past decade.⁹ Displacement often contributes to the deprivation of civil, political, economic, social and cultural rights. In an armed conflict, forcible displacement is contrary to international law unless for reasons other than military imperative or the security of the civilians involved.

In addition, many of the estimated 15.2 million refugees worldwide have fled human rights violations engendered by armed violence. While refugees' status is based on persecution for their race, religion, political opinion, nationality, or social group, much of this persecution occurs in the context of armed conflict, or is manifested through armed violence. It is notable that **all of the top six countries of origin of refugees in 2008 are locations of armed conflict**: Iraq, Somalia, Sudan, Colombia, the Democratic Republic of Congo and Afghanistan. UNHCR estimates that Afghanistan alone is currently the origin of a quarter of all refugees worldwide.¹⁰

THE INTERNATIONAL ARMS TRADE

The scale of the international arms trade is difficult to estimate. Comprehensive published data about this opaque trade simply does not exist for much of the world. Many arms transfers, both legally authorised and illicit, are unreported and undocumented. Some states simply publish no information regarding their arms sales, exports or imports. Others produce information about significant *contracts* for arms exports, but no comprehensive information regarding actual transfers of weapons. For example, the Ministry of Defence of Israel reported in October 2009 that it had signed export contracts for weapons worth \$20.3bn between 2005 and 2008, but provides no information on actual arms deliveries: concrete figures for Israeli arms exports are therefore not available for inclusion in the 'league tables' of major conventional weapons and small arms transfers detailed below, despite Israel being a globally significant arms exporter.¹¹

However, the statistics which do exist indicate that a large proportion of the total reported international arms trade, by commercial value, is conducted by states which are already legally bound by robust human rights risk assessment criteria in their national export control legislation, alongside other ethical and humanitarian criteria. 8 of the top 10 reported exporters of 'major conventional weapons' between 2004 and 2008, responsible for 62% of these reported transfers worldwide, have some legally-binding human rights standards in their national export control legislation.¹² The two exceptions, the Russian Federation and Ukraine, have agreed within the Organisation for Security and Cooperation in Europe (OSCE) to "take into account...the respect for human rights and fundamental freedoms" of the recipient state when considering arms transfers, although this political commitment is not legally binding.¹³

Likewise 8 of the top 10 reported exporters of military small arms and light weapons between 2000 and 2006 have such legally-binding national standards.¹⁴ Of these 10 states, only China has neither national laws nor national policy requiring arms exports to be assessed against human rights criteria at all.¹⁵

Certainly the strength of these legally-binding criteria remains in some cases inadequate, and their application inconsistent.¹⁶ They require strong enforcement, meaningful accountability and independent oversight, which an Arms Trade Treaty should also mandate. Nonetheless internationalising robust human rights rules and other standards to prevent *irresponsible* arms transfers is not antithetical to the international arms trade per se, in which states lawfully sell, acquire and possess arms for security, law enforcement and self-defence, consistent with international law and best practice standards. In comparison with this legitimate trade, the human cost of irresponsible arms transfers on people's lives, rights and livelihoods may be far in excess of their monetary value.

International transfers of 'major conventional weapons', and small arms and light weapons

The Swedish International Peace Research Institute (SIPRI) compiles data on publicly reported and documented transfers of 'major conventional weapons': complete aircraft, armoured vehicles, artillery, sensors, air defence systems, missiles, ships, engines and weapons turrets. This authorised and publicly reported trade is dominated by a relatively small number of states:

<i>Top 10 reported exporters of 'major conventional weapons' 2004-2008</i>	<i>Share of total reported transfers of 'major conventional weapons', 2004-2008 (%)</i>	<i>Self-reported financial value of all arms exports (constant (2007) US\$ bn), 2004-2007</i>
USA	31	51.415
Russian Federation	25	26.934
Germany	10	6.877 ¹⁷
France	8	26.162
UK	4	12.193
Netherlands	3	5.050 ¹⁸
Italy	2	4.737
Spain	2	3.473
Ukraine	2	N/A
Sweden	2	5.182

Source: SIPRI Arms Transfers Database; SIPRI dataset on financial value of national arms exports; 'Recent trends in the arms trade', SIPRI Background Paper, April 2009

However, these transfers do not include substantial international transfers of support equipment and services, parts and components, munitions or ammunition. Nor do they include the large international trade in some less sophisticated types of weapons, including small arms and light weapons, which are produced, stockpiled and transferred by a much wider range of states.

Many states report some of their transfers of small arms, light weapons and ammunition to the UN customs statistics database, COMTRADE, **which recorded international transfers of small arms and light weapons worth between \$2.31bn and**

2.97bn annually between 2001 and 2006. This customs data, however, is partial, often inaccurate, and widely redacted or withheld by many states, including some major small arms and ammunition exporters.

Top 10 reported exporters of military small arms and light weapons, 2000-2006 ***'Average' value of reported exports, 2000-2006 (constant (2006) US\$)***

USA	228,512,000
Belgium	27,136,000
France	22,651,000
Germany	16,213,000
UK	13,651,000
China	10,148,000
Norway	9,520,000
Italy	9,331,000
Canada	8,857,000
Switzerland	6,945,000

Source: UN Comtrade database data analysed by Small Arms Survey in Small Arms Survey Yearbook 2009, p.23. 'Average' value refers to averaging discrepant reports of imports and corresponding exports by importing and exporting states

CONCLUSION

In December 2009, the UN General Assembly (UNGA) adopted a resolution to convene Preparatory Conferences in 2011 and 2012 to develop a "strong and robust" international Arms Trade Treaty. The Treaty will be to be finally negotiated at "the United Nations Conference on the Arms Trade Treaty", to sit for four consecutive weeks in 2012. This Conference will "elaborate a legally binding instrument on the highest possible common international standards for the transfer of conventional arms".¹⁹

It is clear from the facts available that a "strong and robust" Arms Trade Treaty is one that should contain provisions to prevent international transfers of conventional arms where there is credible and reliable information indicating a substantial risk that the intended recipient is

likely to use these arms to commit or facilitate serious violations of international human rights law or international humanitarian law. Where there is clear information indicating such a substantial risk, states should be required under the treaty to refuse or revoke authorisation for the transfer of arms in question until the substantial risk of further serious violations using such arms has been curtailed through remedial action.²⁰

¹ Swedish International Peace Research Institute, *SIPRI Yearbook 2009*, Appendix 2A; Uppsala Conflict Data Program, Frequently Asked Questions (http://www.pcr.uu.se/research/UCDP/links_faq/faq.htm#4 accessed 21 April 2010)

² Geneva Declaration, *Global Burden of Armed Violence* (September 2008), pp. 9-30

³ Geneva Declaration, *Global Burden of Armed Violence* (September 2008), pp. 31-48. Benjamin Coghlan et al, *Mortality in the Democratic Republic of Congo: an ongoing crisis* (International Rescue Committee, 2008)

⁴ Geneva Declaration, *Global Burden of Armed Violence* (September 2008), p.67

⁵ David R Meddings and Robin M Coupland, 'Mortality associated with use of weapons in armed conflicts, wartime atrocities, and civilian mass shootings: literature review', *British Medical Journal*, Vol. 319 (1999), pp. 407-410

⁶ Amnesty International and Omega Research Foundation, internal research document, December 2003. The ten countries analysed were Algeria, Brazil, the Russian Federation (Chechnya), Colombia, DRC, East Timor, Egypt, France, Jamaica and Nepal.

⁷ Some cases will have involved the use of weapons but not have had their involvement recorded. Other human rights violations will have involved other kinds of conventional arms beyond small arms and light weapons

⁸ Coalition to Stop the Use of Child Soldiers, *Global Report 2008*, Facts and Figures (www.childsoldiersglobalreport.org/content/facts-and-figures-child-soldiers)

⁹ UNHCR, *Global Report 2008 – Internally Displaced Persons* (<http://www.unhcr.org/4a2d199b2.html> accessed 21 April 2010)

¹⁰ UNHCR, *Statistical Yearbook 2008*, pp. 9-10

¹¹ 'Defense exports over \$6bn', *Globes (Israel)*, 6 October 2009, based on figures supplied by Israel's Foreign Defence Assistance and Defence Export Organization (SIBAT) to the "Defense News" publication

¹² Germany, France, the UK, the Netherlands, Italy, Spain and Sweden are bound by the European Union's Common Position 2008/944/CFSP, adopted on 8 December 2008, defining common rules governing control of exports of military technology and equipment. Criterion 2 (on human rights) of this Common Position requires European Union member states to "deny an [arms] export licence if there is a clear risk that the military technology or equipment to be exported might be used for internal

repression”; and “exercise special caution and vigilance in issuing licences, on a case-by-case basis and taking account of the nature of the military technology or equipment, to countries where serious violations of human rights have been established by the competent bodies of the United Nations, by the European Union or by the Council of Europe”.

The US Foreign Assistance Act 1961 (as amended), Section 502B, states that “no security assistance may be provided to any country the government of which engages in a consistent pattern of gross violations of internationally recognized human rights”, where security assistance is defined as “any licence ...[for] the export of defense articles or defense services [on the US Munitions List] to or for the armed forces, police, intelligence, or other internal security forces of a foreign country”. In addition, the Leahy provision in successive versions of the US Foreign Operations Appropriations Act (see Section 551 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act 2006) and the Defense Appropriations Act (see Section 8061 of Defense Appropriations Act 2009) states that foreign military or security assistance (equipment or training) to foreign government forces may not be provided to “any unit of the security forces of a foreign country if the Secretary of State has credible evidence that such unit has committed gross violations of human rights” unless “the Secretary determines and reports to the Committees on Appropriations that the government of such country is taking effective measures to bring the responsible members of the security forces unit to justice” (Department of State) or “all necessary corrective steps have been taken” (Department of Defense). The Leahy provision in the Defense Appropriations Act can also be waived by the Secretary of State for Defense if she or he determines that “extraordinary circumstances” require it.

¹³ OSCE, *Principles governing international arms transfers*, adopted at the 49th Plenary Meeting of the Special Committee of the OSCE Forum for Security Co-operation in Vienna on 25 November 1993

¹⁴ For European Union member states, see note 12. Norway has also aligned itself to the EU Common Position on arms exports, formally reflected in national export control rules in May 2009. Swiss export law states that export licences for ‘war material’ “shall not be granted for export trade and for contracts under Article 20 WMA if...the country of destination violates human rights in a systematic and serious manner” (Ordinance on War Material of 25 February 1998, status as on 1 January 2010, Article 5)

¹⁵ Canada has established a policy to “closely control” arms exports to “countries whose governments have a persistent record of serious violations of the human rights of their citizens”, although this has not been written into Canada’s national export control law. Foreign Affairs and International Trade Canada, *Export Controls Handbook* (May 2009), p.43 (<http://www.international.gc.ca/controls-contrôles/assets/pdfs/documents/ExportControlHandbook-eng.pdf> accessed 4 May 2010)

¹⁶ Amnesty International, *Blood at the Crossroads: Making the Case for Global Arms Trade Treaty* (Index: ACT 30/011/2008), 17 September 2008

¹⁷ Only includes ‘weapons of war’ as defined in German national export law.’

¹⁸ Value of arms export authorisations, which may be greater than actual exports

¹⁹ UN General Assembly Resolution 64/48, 2 December 2009

²⁰ Amnesty International, *How to apply human rights standards to arms transfer decisions* (Index: ACT 30/008/2008), 1 October 2008; International Committee of the Red Cross (ICRC), *Arms Transfer Decisions: Applying International Humanitarian Law Criteria* (Geneva, 2007)

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