

Women's International League for Peace and Freedom

Ligue Internationale de Femmes pour la Paix et la Liberté

Liga Internacional de Mujeres por la Paz y la Libertad

رابطة النساء الدولية للسلام والحرية



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Statement UPR Adoption of the Universal Periodic Review (UPR) of the United Kingdom

UN Human Rights Council 36th session (11 to 29 September 2017)

Item 6: Universal Periodic Review

WILPF welcomes the United Kingdom's (UK) acceptance of recommendation 132.134: "*In the context of the defence of the right to life, carefully assess the transfer of arms to those countries where they are likely to be used for human rights abuses and violations (Peru)*". Such acceptance is consistent with the UK's obligations as a state party to the Arms Trade Treaty (ATT), particularly under articles 6 and 7, and as a state party to human rights treaties, such as the International Covenant on Economic, Social and Cultural Rights and the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW). It is also consistent with the UK's obligations under the EU Common Position on Arms Exports and the UK's own Consolidated Licensing Criteria on arms exports. These are obligations which the Committee on Economic, Social and Cultural Rights (CESCR) has reminded the UK of, by recommending that the UK "conduct thorough risk assessments prior to granting licences for arms exports and refuse or suspend such licences when there is a risk that arms could be used to violate human rights, including economic, social and cultural rights."¹

The UK's stated commitment to undertake a careful assessment before authorising arms transfers is however at odds with its continued arms transfers to several countries, foremost among which is Saudi Arabia. Already two years ago, eminent international law experts concluded that the UK Government was in breach of national, EU and international law and policy by supplying weapons to Saudi Arabia in the context of its military intervention and bombing campaign of Yemen.² Many more of those reminders have followed. Yet, UK's arms transfers to Saudi Arabia continue unabated, despite significant evidence that the Saudi-led Coalition, which has been engaged since March 2015 in the bombardment of Yemen, is using UK-made weapons in acts that may constitute violations of international humanitarian law and international human rights law in Yemen. Coalition airstrikes continue to be the leading cause of civilian casualties, as this Council was reminded yet again by the High Commissioner for Human Rights last week.³

WILPF recalls that under the ATT, only the identification of a *risk* of committing or facilitating serious violations of international humanitarian law or human rights law triggers the obligation for State

¹See: <http://wilpf.org/the-review-of-sweden-the-uk-and-france-under-the-committee-on-economic-social-and-cultural-rights/>.

² See "Matrix members find UK Government is in breach of national, EU and international law and policy", reporting on the comprehensive legal opinion by lawyers, Professor Philippe Sands QC, Professor Andrew Clapham and Blinne Ní Ghrálaigh, who concluded that by supplying weapons to Saudi Arabia "the UK Government is in breach of its obligations under the Arms Trade Treaty, the EU Common Position on Arms Exports and the UK's Consolidated Criteria on arms exports." <https://www.matrixlaw.co.uk/news/matrix-members-find-uk-government-is-in-breach-of-national-eu-and-international-law-and-policy/>.

³See "Human Rights Council 36th session, Opening Statement by Zeid Ra'ad Al Hussein, United Nations High Commissioner for Human Rights", available at: <http://www.ohchr.org/EN/NewsEvents/Pages/Media.aspx?IsMediaPage=true>; see also "Yemen: An "entirely man-made catastrophe" – UN human rights report urges international investigation": <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22025&LangID=E>

Parties to deny arms exports. Mr President, it is unconscionable to think that this risk does not exist in relation to arms sales to Saudi Arabia. The evidence we see from Yemen suggests the opposite: the risk is very clear. We need only to look at the horrific reality of the situation on the ground for the Yemeni people, which at this point includes the world's worst cholera outbreak, famine, destruction of most of the country's medical facilities, devastation of schools, homes, markets, and mass displacement. The ICRC, WHO and UNICEF are among those to have stated that the cholera outbreak is a direct consequence of more than two years of warfare.⁴

In order to meaningfully implement the above-mentioned UPR recommendation, we hence call on the UK to:

- immediately stop arms transfers to Saudi Arabia;
- review its arms exports to all countries where there is evidence of human rights violations and violations of international humanitarian law;
- duly take into account the recommendations in the OHCHR's report on the "Impact of arms transfers on the enjoyment of human rights"⁵ as well as by other UN human rights bodies, such as CESCR, to ensure effective, transparent, and gender-sensitive human rights impact assessments of arms exports.

⁴ See: Statement by Peter Maurer, president of the International Committee of the Red Cross, <https://www.icrc.org/en/document/statement-urgent-plea-yemen-icrc-president>; and joint statement by Anthony Lake, UNICEF Executive Director, and Margaret Chan, WHO Director-General <http://www.un.org/apps/news/story.asp?NewsID=57059#.Wb0d0K17G8U> .

⁵ UN Index: A/HRC/35/8, 3 May 2017.