

CHURCH RELATED STATEMENTS ON THE ARMS TRADE - from 2000

Collated for Pax Christi by Frances Murphy

Statements, resolutions and teachings on the impact/ethics of the arms trade

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CATHOLIC CHURCH

The Catechism of the Catholic Church

2314. "Every act of war directed to the indiscriminate destruction of whole cities or vast areas with their inhabitants is a crime against God and man, which merits firm and unequivocal condemnation."¹ A danger of modern warfare is that it provides the opportunity to those who possess modern scientific weapons especially atomic, biological, or chemical weapons - to commit such crimes.

2315. The accumulation of arms strikes many as a paradoxically suitable way of deterring potential adversaries from war. They see it as the most effective means of ensuring peace among nations. This method of deterrence gives rise to strong moral reservations. The arms race does not ensure peace. Far from eliminating the causes of war, it risks aggravating them. Spending enormous sums to produce ever new types of weapons impedes efforts to aid needy populations;² it thwarts the development of peoples. Over-armament multiplies reasons for conflict and increases the danger of escalation.

2316. The production and the sale of arms affect the common good of nations and of the international community. Hence public authorities have the right and duty to regulate them. The short-term pursuit of private or collective interests cannot legitimate undertakings that promote violence and conflict among nations and compromise the international juridical order.

2317. Injustice, excessive economic or social inequalities, envy, distrust, and pride raging among men and nations constantly threaten peace and cause wars. Everything done to overcome these disorders contributes to building up peace and avoiding war:

Insofar as men are sinners, the threat of war hangs over them and will so continue until Christ comes again; but insofar as they can vanquish sin by coming together in charity, violence itself will be vanquished and these words will be fulfilled: "they shall beat their swords into ploughshares, and their spears into pruning hooks; nation shall not lift up sword against nation, neither shall they learn war any more."³

2329. "The arms race is one of the greatest curses on the human race and the harm it inflicts on the poor is more than can be endured."⁴

2438. Various causes of a religious, political, economic, and financial nature today give "the social question a worldwide dimension."⁵ There must be solidarity among nations which are already politically interdependent. It is even more essential when it is a question of dismantling the "perverse mechanisms" that impede the development of the less advanced countries.⁶ In place of abusive if not usurious financial systems, iniquitous commercial relations among nations, and the arms race, there must be substituted a common effort to mobilize resources toward objectives of moral, cultural, and economic development, "redefining the priorities and hierarchies of values."⁷

¹ *Gaudium et Spes*, 80 #3.

² Cf. Paul VI, *Populorum progressio* 53

³ *Gaudium et Spes*, 78 # 6; cf. ➡ Isa 2:4

⁴ *Gaudium et Spes*, 81 #3

⁵ *Sollicitudo rei socialis*, 9

⁶ Cf. *Sollicitudo rei socialis*, 17; 45

⁷ *Centesimus annus* 28; cf 35

The Compendium of the Social Doctrine of the Church

508. *The Church's social teaching proposes the goal of "general, balanced and controlled disarmament".⁸ The enormous increase in arms represents a grave threat to stability and peace. The principle of sufficiency, by virtue of which each State may possess only the means necessary for its legitimate defence, must be applied both by States that buy arms and by those that produce and furnish them.⁹ Any excessive stockpiling or indiscriminate trading in arms cannot be morally justified. Such phenomena must also be evaluated in light of international norms regarding the non-proliferation, production, trade and use of different types of arms. Arms can never be treated like other goods exchanged on international and domestic markets.¹⁰*

Moreover, the Magisterium has made a moral evaluation of the phenomenon of *deterrence*. "The *accumulation of arms* strikes many as a paradoxically suitable way of deterring potential adversaries from war. They see it as the most effective means of ensuring peace among nations. This method of deterrence gives rise to strong moral reservations. The *arms race* does not ensure peace. Far from eliminating the causes of war, it risks aggravating them".¹¹ Policies of nuclear deterrence, typical of the Cold War period, must be replaced with concrete measures or disarmament based on dialogue and multilateral negotiations.

509. *Arms of mass destruction - whether biological, chemical or nuclear - represent a particularly serious threat. Those who possess them have an enormous responsibility before God and all of humanity¹². The principle of the non-proliferation¹³ of nuclear arms, together with measures of nuclear disarmament and the prohibition of nuclear tests, are intimately interconnected objectives that must be met as soon as possible by means of effective controls at the international level.¹³ The ban on the development, production, stockpiling and use of chemical and biological weapons, as well as the provisions that require their destruction, complete the international regulatory norms aimed at banning such baleful weapons,¹⁴ the use of which is explicitly condemned by the Magisterium: "Any act of war aimed indiscriminately at the destruction of entire cities or extensive areas along with their population is a crime against God and man himself. It merits unequivocal and unhesitating condemnation".¹⁵*

510. *Disarmament must include the banning of weapons that inflict excessively traumatic injury or that strike indiscriminately. This includes anti-personnel landmines, a type of small arms that is inhumanly insidious because it continues to cause harm even long after the cessation of hostilities. States that produce them, sell them and continue to use them are responsible for seriously delaying the total elimination of these death-dealing weapons.¹⁶ The international community must continue its committed efforts aimed at mine clearance, fostering effective cooperation - including education and*

⁸ John Paul II, Message for the fortieth anniversary of the United Nations (14 October 1985), 6: *L'Osservatore Romano*, English edition, 14 November 1985, p4

⁹ Cf. Pontifical Council for Justice and Peace, *The International Arms Trade: An Ethical Reflection* (1 May 1994), ch 1,9-11, Libreria Editrice Vaticana, Vatican City 1994, p14

¹⁰ Cf. *Catechism of the Catholic Church*, 2316; John Paul II, Address to the World of Work, Verona, Italy (17 April 1988), 6: *Insegnamenti di Giovanni Paolo II*, XI, 1 (1988), 940.

¹¹ *Catechism of the Catholic Church*, 2315

¹² Cf. Second Vatican Ecumenical Council, Pastoral Constitution *Gaudium et Spes*, 80: AAS 58 (1966), 1104; *Catechism of the Catholic Church*, 2314; John Paul II, Message for the 1986 World Day of Peace, 2: AAS 78 (1986), 280

¹³ Cf. John Paul II, Address to the Diplomatic Corps (13 January 1996), 7: *L'Osservatore Romano*, English edition, 17 January 1996, p2

¹⁴ The Holy See is a party to juridical instruments dealing with nuclear, biological and chemical weapons in order to support such initiatives of the international community.

¹⁵ Second Vatican Ecumenical Council, Pastoral Constitution, *Gaudium et Spes*, 80: AAS 58 (1966), 1104

¹⁶ Cf. John Paul II, Message for the 1999 World Day of Peace, 11: AAS 91 (1999), 385-386

technical training - with those countries that do not have adequate means to clear their territory of mines with all due urgency and that are not able to offer the necessary assistance to victims of mines.

511. *Appropriate measures are needed to control the production, sale, importation and exportation of small arms and light weapons, armaments that facilitate many outbreaks of violence to occur.* The sale and trafficking of such weapons constitute a serious threat to peace: these arms kill and are used for the most part in internal and regional conflicts; their ready availability increases both the risk of new conflicts and the intensity of those already underway. The position of States that apply severe controls on the international transfer of heavy arms while they never, or only very 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 arms¹⁷ 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.

'The International Arms Trade: An Ethical Reflection', The Pontifical Council for Justice and Peace 1994

1.1 No transfer of arms is morally indifferent. On the contrary, each one brings into play a series of political, strategic and economic interests that at times converse, at others diverge. In each case, there are specific moral consequences. The licitness 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.

1.9 The fact that a state can legitimately possess arms, and hence implicitly transfer or receive them, brings with it serious obligations. Each state must, indeed, be able to justify each acquisition or transfer of arms according to the principle of sufficiency by which a state may possess only those means necessary to assure its legitimate defence. The excessive accumulation of arms or their indiscriminate transfer is contrary to this principle.

1.10 It is clear that importing countries must be the first to weigh carefully the reasons why they want to acquire arms. The obligations that derive from the principle of sufficiency are serious and restrictive. The introduction of new arms into a region can, in fact, trigger an arms race in neighbouring countries or destabilize the entire region. Consequently, no State may licitly seek to acquire whatever type or quantity of weapons it wishes. Each acquisition must correspond strictly to the criterion of sufficiency.

1.11 An exporting State may, therefore, legitimately deny another State - and is at times obliged to do so - arms that it considers to go beyond the limits imposed by this principle. In a field as sensitive as that of national defence, it is difficult for an exporting country to decide whether or not the transfer of certain weapons systems exceeds these needs or not. Such difficulties cannot, however, dispense those responsibilities from weighing all relevant factors before deciding in favour of a possible transfer.

1.12 Arms can never in any way be treated like other goods exchanged on the world or internal market. While the possession of arms can serve as a deterrent, arms also have finality. There is, in actual fact, a close and indissociable 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; "here also the law of profit cannot be supreme".¹⁸

1.13 Whether the sale of arms be under the direct aegis of the State or not, the State bears the responsibility for assuring that such sales are subject to very strict control. There is no denying that "the

¹⁷ Cf. John Paul II, Message for the 1999 World Day of Peace, 11: AAS 91 (1999), 385-386

¹⁸ John Paul II, Address to the World of Labour, Verona, Italy, 17 April 1988, No.6, *L'Osservatore Romano*, Eng. Ed., No.18, 2 May 1988, p8

arbitrary sale of arms, especially to poor countries, remains one of the gravest threats to peace at the present time".¹⁹

2.6 The reduction of the economic pressures to sell arms would allow States to decide whether arms transfers are legitimate or not within a *political* framework. While the force of economic interests can never be ignored, arms transfers must remain strictly subject to political control.

2.7 Precisely because its responsibility is engaged, it is extremely important that the State establish national controls. Most exporting States have, moreover, already recognised the need to do so and have acted in consequence. But that is not enough: governments must give proof of their determination to see that these laws and regulations are observed. It would be a moral aberration for a government not to assure that its own laws were applied.

2.9 In order to make a well founded judgement on arms transfers, the government bodies concerned need precise information on the final destination of the arms, on the security needs of the country in question, and on the current flow of arms in the region. They also should see that there are effective means for the verification of the information provided. The general public also has the right to adequate information in order to allow them to form an enlightened opinion and be better able to make their voice heard by the authorities concerned.

A national dialogue should be engaged on this subject. All citizens are affected in one way or another by the transfer of arms; all are responsible for the common good of their own country. The members of government, the military, those who are involved in the production and sale of arms share this responsibility with other citizens, but to a greater degree because of their office. Their contribution to the dialogue is indispensable for an adequate understanding of this complex phenomenon.

2.12 It is morally unjustifiable for the arms industry, or for any individual within it, to falsify end-user certificates or to conceal behind an innocent front the nature of the goods being exported in order to escape control. This same severe judgement also applies to companies that transfer components or dual-use products when they are well aware of the probability of their being used for hostile purposes. The same holds true for all those who act in defiance of legitimately imposed arms embargoes.

3.3 Unfortunately, poor countries are all too often tempted by the example of richer countries:

To commit too much of their resources in acquiring... arms, while elementary conditions of food, hygiene and literacy are cruelly lacking. This is the cause of an enormous amount of suffering, of anxiety, of bitterness and even of revolt.²⁰

This situation is particularly tragic in those societies where, precisely, people are unable to meet their basic needs because war is destroying their very means of subsistence.²¹ It is up to the richer countries to give the example by limiting their own acquisition of arms.

3.5 Why import arms? The State does have the right, and even the obligation, to defend its people, by armed means if necessary, strictly respecting, however, the principle of sufficiency. But the security of a country cannot be reduced to its capacity to defend itself by accumulating arms. It is also based in the determination of the State to assure that its people enjoy a completely different kind of security: adequate food and decent housing, access to education and to health care, the possibility of work, and the respect of human rights. The future well-being of the State depends far more on the integral development of the people than on its stocks of arms.

¹⁹ Cardinal Agostino Casaroli, Intervention at the United Nations Office in Vienna, 6 March 1986, No. 3c, *L'Osservatore Romano*, Eng. Ed., No. 11, 17 March 1986, p12

²⁰ John Paul II, Address to the Diplomatic Corps, 14 January 1984, NO.5, *L'Osservatore Romano*, Eng. Ed., No.5, January 1984, p7

²¹ Cf. John Paul II, World Day of Peace message, 1993, No. 4

3.6 In this regard, the smaller States, as well as States that have recently become dependent, could make a decisive contribution to peaceful relations among States if they examined together, on a regional or sub-regional level, the possibility of assuring their security by means other than the multiplication of armed forces, which inevitably heightens the demand for arms. More specifically, they could envisage an economic integration coupled with security agreements. It suffices to consider the tragedy of the many regions torn asunder by fierce struggles today to realize the urgency of such bold measures, that could, moreover, be accompanied by international guarantees.

3.7 Some arms purchases serve above all else the personal prestige of a leader of political class. Of itself, such a situation already constitutes a threat to the good of the people. It is easy to pass from a desire for personal prestige to that for regional hegemony. The acquisition of arms for any such motives cannot be considered legitimate. Far from being a sign of prestige, the accumulation of arms is often a sign of political weakness.

3.8 All importing states, large or small, also have a very serious obligation to consider the responsibility that they assume in introducing additional arms into their region. Their own interests are not the only ones to be taken into consideration; the stability of their entire region is at stake. Likewise, no importing State can afford to ignore the phenomenon of dependency which can result from its subordination to an exporting country. Arms transfers can, in fact, be subject to conditions that are to the detriment of their legitimate aspirations to independence.

3.10 The responsibility of the State does not end when it has decided, after careful consideration, to purchase or receive arms. On the contrary, it incurs new obligations, the foremost of which is to respect those restrictions that the exporting country may have imposed as a condition for the transfer.

3.11 All weapons received, of those produced under license, must remain under the strict control of the State, which has the duty to assure that they are not illegally re-exported or re-sold. A receiving state cannot become the accomplice of another²² seeking to arm itself illegally or illicitly.

4.2 It is difficult to find any moral justification for supplying arms to authoritarian States. To do so is the equivalent of attesting that the State is an end in itself, that the good of the people is not its first and fundamental purpose. On the other hand, the denial of arms can be a sign of the disapproval of any regime that does not respect internationally recognized standards of human rights.

4.4 There are many ways of circumventing restrictions and embargoes, since their effectiveness depends on the will of States and of the arms industry to observe them. But it is also true that the lack of uniform means of control makes such infractions easier: what is illegal in one State is permitted in another. It is in the interest of all that States work together to eliminate any loopholes in their national regulations, but it is equally important to develop strict and uniform international standards and guidelines, coupled with sanctions for their non-observance, in order to block, to the degree possible, these illegal transactions that are a threat to peace.

4.8 It is urgent to find an effective way to stop the flow of arms to terrorist and criminal groups. An indispensable measure would be for each State to impose a strict control on the sale of handguns and small arms. Limiting the purchase of such arms would certainly not infringe upon the rights of anyone.

The time has also come for the international community to address the question directly, integrating it into its considerations on the phenomenon of arms transfers in general. That the General Assembly of the United Nations has already raised this problem is a sign of its recognition of the danger of the ready availability of such arms.

4.9 A problem remains: is it always illicit to supply arms to a non-State group? The right to use force is traditionally reserved to the State. This presumes that the State in question enjoys moral and political legitimacy. But non-State groups seeking arms are often challenging this legitimacy.

A fundamental moral choice would already have been made if the

²² Cf. Resolution A/46/36H of 6 December 1991, as well as Resolution A/48/75/F of 16 December 1993

possibility of questioning the legitimacy of a regime did not remain open, and if only the State had the right to receive arms. At the same time, any policy that would treat States and non-State bodies on a par would result in chaos. Consequently, States have a presumptive advantage over non-State bodies as regards arms transfers.

The possibility still remains open, however, that the regime in power can be in the wrong.²³ When faced with any decision whether or not to supply arms to a group that opposes such a regime, it is important to distinguish between a struggle which is legitimate in its ends and means and pure and simple terrorism.

5.2 The ultimate guiding principle for any regulation of the arms trade is the search for a world more in keeping with the dignity of the human person. Everyone - including governments and decision-makers in the arms industry - must commit themselves to this. Public opinion has a special role to play; that of being that dynamic force which at times supports and at other anticipates the drawing up of government programmes and regulations.

5.7 In another recommendation to the General Assembly of the United Nations, States are invited to give priority attention to the elimination of the illicit trade in all types of arms and military material. This trade is closely linked to conflicts, mercenary operations, terrorism, organised crime, drug trafficking and other destabilizing activities.²⁴ This illicit trade cannot be stemmed without the firm determination of all - governments, those in the arms industry and those who have access to major stockpiles of arms - to refuse arms to protagonists of violence. No effort can be spared to stop this extremely dangerous traffic.

Any measure, however minor, to block the free circulation of arms will remain problematic as long as there are massive and poorly supervised stockpiles of arms, as well as sufficient financial means, often from dubious sources, to buy them. The setting up, particularly on a regional level, of measures for the supervision and control of the stockpiles of arms, at least those destined for destruction, would be one way of assuring that they did not fall into other hands. A greater transparency in the international transfer of funds would also help to block those destined for the purchase of arms.

Similarly, the unacceptable anomaly must cease by which certain States have stringent controls on the international transfer of heavy arms but few if any as regards the sale of small arms and handguns. The problem of the almost free circulation of these arms must henceforth become an integral part of all considerations of the arms trade.²⁵

5.15 The integral development of all peoples is at stake:

All must realise that there is no hope of putting an end to the building up of armaments, nor of reducing the present stocks, nor, still less, of abolishing them altogether, unless the process is complete and thorough and unless it proceeds from inner conviction: unless, that is, everyone sincerely cooperates to banish the fear and anxious expectation of war with which men are oppressed. If this is to come about, the fundamental principle on which our present peace depends must be replaced by another, which declares that the true and solid peace of nations consists not in equality of arms but in mutual trust alone. We believe that this can be brought to pass, and We consider that it is something reason requires, that it is eminently desirable in itself and that it will prove to be the source of many benefits.²⁶

²³ Congregation for the Doctrine of the Faith, *Instruction on Christian Freedom and Liberation*, 1986, No.79, which refers to Paul VI, Encyclical *Populorum Progressio*, No. 31, AAS LIX, 1967, pp.272-273, and to Pius XI, Encyclical *Nosse s muy conocida*, AAS XXIX, 1937, pp208-209

²⁴ A/46/36H of 6 December 1991 and Resolutions A/48/75F and A/48/75H of 16 December 1993

²⁵ The Sub-Committee for the struggle against discriminatory measures and for the protection of minorities asked that the transfer of small arms be included in the Register because of their use in the violation of human rights. (Cf. Resolution 1992/39, adopted without a vote on 28 August 1992 in ECOSOC document E/CN. 4/Sub. 2/1992/L. 11?Add. 7 of 31 August 1992

²⁶ John XXIII, Encyclical *Pacem in Terris*, Part III

Other statements since 2000

The need to eliminate the illicit trade in small arms, and related activities, in order to promote peace, development and security.

".....The illicit trade in small arms and light weapons is an obvious threat to peace, development and security. That is why the Holy See adds its voice to the calls for a common approach, not only towards the illicit trade in small arms but also to related activities, such as terrorism, organized crime and the trafficking in persons, to say nothing of the illicit trade in drugs or other lucrative commodities.

Furthermore, as well as considering the illicit offer of arms, we must also be mindful of the dynamics of the demand for arms. This part of the equation also requires further research, and demands of the international community a concerted and serious effort to promote a culture of peace among all members of our respective societies.

Yet another aspect which the Holy See considers important is the special needs of children affected by armed conflict, as described in the Plan of Action. Children need to be considered in programs of disarmament, demobilization and reintegration (DDR), in post-conflict situations, in peacekeeping and peace-building, and in development programs, through community-based approaches....

...Long-term strategies will need to be developed, which include the aim of halting the scourge of the illicit proliferation of small arms and light weapons, in order to promote peace and security, both internally and externally. The Holy See is convinced that investment in prevention, peacemaking, peacekeeping and peace-building has the potential to save millions of lives.

Finally, the international community would do well to consider seriously a debate on the creation of an arms trade treaty, based on the best principles of international law on human rights and humanitarian law. Such an instrument could help contribute to the eradication of the illicit arms trade, while underlining the responsibility of states to reinforce the Plan of Action under discussion today...."

Taken from the address delivered Monday [11th July '05] by Archbishop Celestino Migliore, the Holy See's permanent observer to the United Nations, at the 2nd Biennial Meeting of States to Consider the Implementation of the Program of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons.

www.zenit.org/english/, (15/07/05, 16:20)

There must be a challenge to the injustice of the arms trade in Africa in the name of Christian faith.

"... The weapons trade is still alive, with the exploitation of the earth's goods. We Christians must do much more in these regards so that faith is made present, and with faith, the strength to resist these vices and to rebuild a Christian Africa, destined to be a happy Africa, a great Continent of new humanism..."

Taken from the address of his Holiness Benedict XVI to the Clergy of Rome, Basilica of St John Lateran, Friday 13 May 2005.

www.vatican.va/holy_father/benedict_xvi/speeches/2005/may/documents/hf_ben-xvi_spe_20050513_roman-clergy_en.html, (25/07/05, 14.55)

The Vatican denounces the idea of nuclear deterrence and calls for the arms race to be abandoned in favour of the restoration of values.

"...in an effort to put priorities and hierarchies of values in their proper place, a greater common effort must be made to mobilize resources towards moral, cultural and economic development so that humanity may turn its back on the arms race.

The time has gone for finding ways to a "balance in terror"; the time has come to re-examine the whole strategy of nuclear deterrence. When the Holy See expressed its limited acceptance of nuclear deterrence during the Cold War, it was with the clearly stated condition that deterrence was only a step on the way towards progressive nuclear disarmament. The Holy See has never countenanced nuclear deterrence as a permanent measure, nor does it today when it is evident that nuclear deterrence drives the development of ever newer nuclear arms, thus preventing genuine nuclear disarmament..."

Taken from the statement that Archbishop Celestino Migliore, permanent observer of the Holy See to the United Nations, delivered to the 7th Review Conference of the States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) on 4th May 2005.

www.zenit.org/english, (15/07/05, 16.35)

A call for the reduction in the firearm trade, which inhibits development.

"...A second point, which has long been a grave concern for the Holy See, in the framework of criminal justice and crime prevention, is the sale and possession of firearms. This issue is closely related to building peace and is a key component of a truly sustainable economic and social development. Clearly, there is a link between crime and trafficking in firearms that feeds terrorism at national and international levels. A reduction in the availability of firearms will facilitate the establishment of peace and security. It will also contribute to channel money spent on trafficking weapons, into programs for development..."

Taken from the address delivered April 25th 2005 by Archbishop Salvatore Pennacchio, apostolic nuncio to Thailand, at the 11th U.N. Congress on Crime Prevention and Criminal Justice.

www.zenit.org/english, (18/07/05, 11.50)

In order to alleviate tense situations in Africa, aggressors must not be allowed access to arms.

"...involvement in protection and human rights issues will require larger human and financial resources and, above all, the political will to act, to intervene and take the arms off the hands of aggressors. The longer the delay to act, the greater the risk of more uprooted and abused people and of undermining hard-achieved peace agreements.

The way forward is to stop the flow of arms into the conflict, to hold individuals accountable for war crimes and crimes against humanity, to take action now and give new hope to Africa and to all refugees..."

Taken from the address that Monsignor Fortunatus Nwachukwu gave Thursday March 10th 2005 at the 32nd meeting of the Standing Committee of the U.N. High Commissioner for Refugees.

www.zenit.org/english, (18/07/05, 12.05)

The arms trade threatens the common good, and as such is a problem that must be addressed

"...198. Although war may sometimes be just, it is a scandal that throughout the world so much money is spent on armaments while so little is spent addressing poverty. Furthermore, the proliferation and accumulation of all these weapons makes the world a less secure and more dangerous place. According to the Second Vatican Council the arms race is 'one of the greatest curses on the human race and the harm it inflicts on the poor is more than can be endured' (The Church in the Modern World, paragraph 81). Public authorities have a duty to regulate the arms trade because the production and the sale of arms has such a great effect on the common good of the international community. The aim of regulation should be to prevent those intent on aggression from acquiring weapons and to prevent commercial interests becoming prejudicial to international peace and security..."

Taken from 'Cherishing Life' - teaching document from the Catholic Bishops of England and Wales, published 26 May 2004

www.catholicchurch.org.uk/cherishinglife/cl42.htm, (22/07/05, 16.10)

Peace can only be achieved through disarmament of all kinds of weapons.

"...The devastating effects of conflict usually last generations, making reconciliation and any semblance of normal life extremely difficult if not impossible. Although there has been much focus on weapons of mass destruction, we cannot ignore the many other forms of weapons used in conflicts around the world. Here, in this discussion, the Holy See raises this point in order to call for a more energetic commitment to underline the deep linkages between the promotion of the culture of peace and the strengthening of the disarmament and non-proliferation process..."

Taken from the address that Archbishop Celestino Migliore, permanent observer of the Holy See to the United Nations, delivered 26th October 2004 to the U.N. General Assembly on the theme "Culture of Peace".

www.zenit.org/english (18/07/05, 12.35)

Excessive military spending impinges on development projects.

"...the surge in global military spending ... reached \$956 billion last year, an increase of 11 percent from 2002 and 18 percent from 2001. Military spending, which will exceed \$1 trillion this year, will soon surpass even the Cold War peaks. Many states are increasing their spending because they think that larger arsenals of firepower will provide security. Increased reliance on guns -- large and small -- is leading the world away from, not towards, security.

A clear result of such overspending on the instruments of death is that governments are much less able to meet long-term commitments to education, health care and housing. The Millennium goals are left lagging while military priorities claim scarce funds. The United Nations pioneered studies which show the integral relationship between disarmament, development and security. Security for all is enhanced when disarmament and development steps complement one another. We must point up the economic benefits of disarmament measures. Development alternatives to militarism must be the constant work of this committee..."

Taken from address delivered 7th October 2004 to the Committee on Disarmament of the U.N. General Assembly, by Archbishop Celestino Migliore, the Holy See's permanent observer to the United Nations, on the topic "General and Complete Disarmament."

www.zenit.org/english, (18/07/05, 12.40)

The prolific arms trade gives terrorists greater opportunity to obtain weapons.

"...Terrorists use an array of weapons to kill, maim and slaughter. Their global reach means that these weapons are being produced and sold internationally, on black markets as well as by state-sponsors. In conjunction with the Counterterrorism Committee, states must look for ways to reduce the easy availability of these weapons through increased export controls and added vigilance over weapon stockpiles.

The world has also become increasingly aware of the grave threat posed by terrorists acquiring weapons of mass destruction, especially nuclear weapons. The fragile state of the Nuclear Non-Proliferation Treaty at this moment is very worrying, as proliferation of these weapons greatly increases the likelihood of terrorist acquisition..."

Taken from address delivered 7th October 2004 to the Committee on Disarmament of the U.N. General Assembly, by Archbishop Celestino Migliore, the Holy See's permanent observer to the United Nations, on the topic "General and Complete Disarmament."

www.zenit.org/english, (18/07/05, 12.40)

The spread of weapons demands attention, as do the needs of children whose lives have been affected by their use.

"...As frightening as the proliferation of WMD and their possible acquisition by terrorists are, they do not come close to exhausting our disarmament concerns. The spread of conventional weapons, especially in conflict and post-conflict situations in Africa, is extremely concerning. The U.N. and its member states must support all disarmament, demobilization and reintegration efforts in Africa and everywhere there is the need of such activities. We should give particular attention to addressing the special needs of

children affected by armed conflicts, in particular the reunification with their family, their reintegration into society and their appropriate rehabilitation, as stressed in the U.N. Program of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects."

Taken from address delivered 7th October 2004 to the Committee on Disarmament of the U.N. General Assembly, by Archbishop Celestino Migliore, the Holy See's permanent observer to the United Nations, on the topic "General and Complete Disarmament."

www.zenit.org/english, (18/07/05, 12.40)

The export of nuclear material must be regulated to prevent international security risks.

"...From various quarters, we have been warned that nuclear proliferation is on the rise and that there are countries interested in the illicit acquisition of weapons of mass destruction. There is also a risk that terrorists will gain access to such materials and technology. In this context, we need to agree on certain measures to ensure that nuclear "business as usual" cannot continue. The NPT has contributed to international peace and security, but still has much to accomplish, and the international community must work harder to diminish the risks of nuclear proliferation and develop a framework more suited to the realities of the 21st century. Better control over the export of nuclear material and the universalisation of the export control system are necessary. Consequently, there is a need to give more authority to inspectors, as the recent discovery of an illicit market for nuclear material and equipment makes clear."

Taken from an address given 22nd September 2004 by Monsignor Leo Boccardi, the Holy See's permanent observer to the International Atomic Energy Agency.

www.zenit.org/english, (18/07/05, 12.55)

Nuclear energy use and transfer must be controlled.

"...the work of the Nuclear Suppliers' Group should help enforce their Article I obligations not to transfer nuclear weapons or assist, encourage or induce any non-nuclear-weapon state to acquire such devices.

On the other hand, non-nuclear-weapon states-parties have Article II obligations which include not receiving, transferring, manufacturing or otherwise acquiring nuclear weapons. While Article IV admits the "inalienable right of all Parties to develop research, production and use of nuclear energy for peaceful purposes," it is becoming clear that such peaceful activities can be too easily diverted into weapons programs..."

Taken from the statement given 27th April 2004 by Archbishop Celestino Migliore, permanent observer of the Holy See to the United Nations, at the 3rd Session of the Preparatory Committee for the 2005 Review Conference of the Parties on the Non-Proliferation of Nuclear Weapons.

www.zenit.org/english, (18/07/05, 13.05)

A culture of peace can only be strengthened when the option to take up arms is rejected.

"...The necessity to impose an armed defence to dissuade the other party from becoming an enemy should be prudently and carefully weighed against an equal necessity to reach out to the other party, beyond any presumed or alleged enmity, leaving always the door open for all possible peaceful solutions. Consequently, when those who bear the responsibility and the obligation to defend peace and order are called upon to decide whether or not to take up legitimate defence, their decision must be subject to the rigorous conditions given within the moral order because such actions can be justified only when all peaceful means of resolving the crisis have been proven to be impractical, ineffective or impossible.

...Mr. President, if development is the new name for peace, then war and the proliferation of weapons must be considered the major enemies of development of peoples. By putting an end to the arms race a true disarmament process can begin, with agreements based on authentic and workable safeguards. The reallocation of economic and other resources from arms race to humanitarian needs such as basic health care, education for all and strengthening of the family, will indeed promote and strengthen a culture of peace..."

Taken from the address on the "Culture of Peace," delivered on 10th November 2003 by Archbishop Celestino Migliore, the Holy See's permanent observer to the United Nations, before the General Assembly.

www.zenit.org/english, (18/07/05, 15.10)

The enforcement of arms control treaties is crucial in order to lay the foundations on which a peaceful society can rest.

"...If it seems impossible to have nations lay down their arms in the present set of international relationships, perhaps the reason is because we have not done sufficient preparation to give states and their leaders the assurance that security can be obtained without the never-ending development and production of arms. This means that the conditions for peace must be built first before we can enjoy the fruits of peace. The soil must be nourished before the blossom appears.

That is why the work done by the United Nations and its agencies in building a culture of peace is so important. If we are to aspire to general and complete disarmament, we must first of all show a respect for life and the dignity and human rights of individuals, reject violence, promote freedom, justice, solidarity, tolerance and the acceptance of differences, and develop better understanding and harmony between ethnic, religious, cultural and social groups. This agenda is indeed vast, but if the world community does not embrace it, we will continue to suffer the ravages of war.

...Small arms ought to occupy our immediate attention, for small arms and light weapons kill more than half a million people each year -- including 300,000 in armed conflict and 200,000 from homicides and suicides, of which 90% are civilians. Throughout the 1990s, small arms were used in 47 of 49 major conflicts. To fully address the small-arms problem, there must be greater recognition that domestic laws and international policies are interdependent, and that the legal and illegal markets for small arms are interrelated. Many illicit transfers start out as legal ones. In this regard, my delegation reiterates its view that attention should be focused on two important issues: state responsibility for illicit transfers and a legally binding agreement on the international arms trade.

The proliferation of small arms augments armed conflicts and diminishes the opportunities for human development. People in developing countries are more than twice as likely to die from small arms than their counterparts in the developed countries. Small arms impede the tasks of aid workers and relief agencies. The prevalence of such weapons discourages teachers and children from going to school and farmers from taking their goods to market. The reconstruction of war-torn societies is made all the more difficult when such weapons are widely available. Governments should see this fact as not just a problem of national security but of human development. A human rights approach to small arms puts people at the centre of the analysis and highlights that it is up to governments to take action.

...As governments prepare for the 2005 Review of the Non-Proliferation Treaty, the question of proliferation of nuclear weapons in all its aspects must be addressed. In the new age of terrorism the world has sadly entered, in which the fear of a terrorist attack with nuclear devices is present, the world community must give life to the following words, contained in the Final Document of the NPT 2000 Review, which all NPT States Parties agreed to: "the total elimination of nuclear weapons is the only absolute guarantee against the use or threat of use of nuclear weapons."

The other weapons of mass destruction, chemical and biological weapons, also present serious problems. Like the peaceful uses of nuclear energy, many chemical and biological agents are used for legitimate and even beneficial purposes, but some of these can be easily converted into weapons-grade material only to be bought, sold and transported without detection. Multilateral inspection agencies, such as the IAEA for nuclear materials and the OPCW for chemicals, are vital to ensuring compliance and verification, and the lack of such an agency for the Biological Weapons Convention needs to be remedied quickly. Stringent export controls on the part of states who produce these materials would help stem illicit transfers and hold states more accountable for licit ones.

It is an unfortunate fact that many arms control treaties contain loopholes and weak points in terms of compliance, verification and enforcement. None of these weaknesses should, however, divert our attention away from the seriousness of the threats posed by these weapons. Stronger enforcement measures, perhaps by developing interdiction agreements and policies among states, may be one way of making sure that international law is upheld and vindicated. Making transparent, verifiable and

irreversible reductions in offensive weapons is the most direct approach to disarmament. However, at the same time multilateral security assurances in line with changing geopolitical realities among states and, perhaps most importantly, internal political reforms have been shown to eliminate the need for such weapons in the first place. These assurances and reforms have certainly been effective in encouraging the nuclear disarmament already undertaken by a number of states under the NPT regime.”

Taken from the address that Archbishop Celestino Migliore, permanent observer of the Holy See to the United Nations, delivered 9th October 2003 before the 1st Committee of the U.N. General Assembly on the topic of general and complete disarmament.

www.zenit.org/english, (18/07/05, 15.20)

The tasks involved in and the goals of tackling the illicit trade in small arms and light weapons.

“We are on the threshold of a new and, perhaps, long process in the area of disarmament, starting from the 2001 Conference on Illicit Trade in Small Arms and Light Weapons and based on the Program of Action to Prevent, Combat and Eradicate Illicit Trade in Small Arms and Light Weapons in All Its Aspects adopted unanimously at the end of the aforementioned Conference after a long and arduous debate.

Although the Program of Action contains a number of measures to be implemented at the national, regional and global levels, it represents but a first step in the long process aimed at eradicating the illicit trade of small arms and light weapons.

Taking into account that the ultimate goal uniting us in this area is the protection of the life and dignity of each and every human person, the Program of Action represents a significant challenge for the international community, since we all know the deep effects of this illicit trade on the development of peoples, on education, on environment, on health conditions, and on life.

In tackling the problem of illicit trade of small arms and light weapons we have to face its complexity, acknowledging that this problem is multidimensional and multidisciplinary. In light of this, it is important to call for and to accomplish concrete forms of action in both supply and demand of this illicit trade.

On the supply side, the Program of Action gives us an initial plan, by underlining that these concrete actions should be directed at strengthening the mechanisms for prevention, reduction, accountability, and control—such as the creation of systems of marking, tracing, and record-keeping; the regulation of brokerage activity; the identification and destruction of stocks of surplus weapons.

On the demand side, the Program of Action gives us some instruction, urging us to develop and implement educational and awareness activities aimed at promoting a culture of peace and life, through, among other things, the involvement of different protagonists in civil society....

...Our meeting is directed to exchange information on the initiatives undertaken by States on the above-mentioned issues during the first two years of the implementation of the Program of Action. In this exercise, we all have the responsibility to contribute to better define the road map of the Program of Action in order to take further steps in the process aimed at preventing and combating the illicit trade of small arms and light weapons.

As our discussions continue, my Delegation would hope that attention will also be focused on two issues:

The first is to address the issue of State responsibility of arresting illicit arms transfers, for it is States which have the capability of reducing and eliminating the death and destruction that result from the availability and use of small arms and light weapons.

The second is to begin, without any undue delay, the process of discussing a comprehensive, legally binding agreement on international arms trade that will reduce and eventually eradicate the illicit traffic of small arms and light weapons.”

Taken from the address delivered on 8th July 2003 at the first biennial meeting of states on illegal trade of small arms and light weapons, by Archbishop Celestino Migliore, the Holy See's permanent observer at the United Nations.

www.zenit.org/english (18/07/05, 15.40)

Control of the small arms trade, and disarmament, can lead to development and promote security.

"...Practical disarmament measures to consolidate peace, regional disarmament agreements, and especially the measures adopted to curb the illicit traffic in small arms and light weapons can be re-energized. These steps, along with the strengthening of the relationship between disarmament and development, can have tremendous effects by improving the conditions for human security throughout the world."

Taken from an address given on 1st October 2002 by Archbishop Renato Martino, head of the Holy See's delegation at a session of the U.N. General Assembly on General and Complete Disarmament.

www.zenit.org/english (18/07/05, 15.55)

The shortcomings of the Conference on the Illicit Trade in Small Arms and Light Weapons, and the Biological Weapons Convention, need to be rectified in order to avoid future mass violence and build a culture of peace.

"...There are conflicts today in several regions that do not even receive world attention. With their ease-of-use and ready availability, small arms are the weapons of choice for today's combatants. The supply of almost limitless quantities of small arms and light weapons through areas of high tension has fuelled numerous civil wars and social chaos. Small arms kill upwards of 10,000 people per week. Most of these victims are civilians.

Even after armed conflict has subsided, small arms often leave a culture of violence which continues to contribute to much of the human misery and economic and social disruption in war-torn societies. As a result, international relief missions are being suspended more frequently as aid workers increasingly find themselves the targets of attacks. Consequently, civilians often suffer increased pain and are deprived longer.

The Conference on the Illicit Trade in Small Arms and Lights Weapons in All Its Aspects has been attributed various degrees of success and failure. In terms of success, 189 countries were able to agree on a Program of Action that urges governments to enact laws, regulations and administrative procedures to prevent the illicit trafficking in small arms and to make the illegal manufacture, possession, stockpiling and trade of these weapons a criminal offence. It was also decided that a review Conference is to be held no later than 2006 to examine progress in implementing the agreement, thereby ensuring that this would be the first step in what is expected to be a lengthy effort. The Conference has also been commended for placing a spotlight on the issue of small arms and providing an important platform for civil society and concerned governments to press for serious action.

However, the success of the Conference was limited from the beginning since it only set out to discuss the illegal aspects of the small arms trade. This focus has been criticized for ignoring the fact that most illicit weapons originate in the legal export market before being diverted. Moreover, the agreement that was reached is a non-binding voluntary declaration with no enforcement mechanism, thereby raising the question of how seriously it will be taken by its signatories. Unfortunately, the Conference's final document did not include provisions that would have regulated civilian gun ownership and restricted arms transfers to legitimate States.

This past year also saw efforts to strengthen the Biological Weapons Convention. A protocol had been drawn up to enforce the 1972 Convention, which would require signatory states to declare all industrial facilities capable of manufacturing bio-weapons. The lack of full agreement to the protocol was another setback for the international cooperation that is so necessary to prevent terrorism. Combating the dangers of terrorist use of deadly organisms requires more credible international institutions of arms control than the present ones.

Mr. Chairman, the tragedy of 11 September must compel us to sharpen our sense of urgency to respond effectively to the dangers we face. Let us recall the words of Secretary-General Kofi Annan, who said during the recent debate on terrorism in the General Assembly:

"It is hard to imagine how the tragedy of 11 September could have been worse. Yet the truth is that a single attack involving a nuclear or biological weapon could have killed millions. While the world was unable to prevent the 11 September attacks, there is much we can do to help prevent future terrorist acts carried out with weapons of mass destruction. The greatest immediate danger arises from a non-state group -- or even an individual -- acquiring and using a nuclear, biological, or chemical weapon. Such a weapon could be delivered without the need for any missile or any other sophisticated delivery system."...

...Mr. Chairman, the present course -- more arms and more poverty -- is leading us to human disasters even greater than what we endured on 11 September. The basic requirement for the peace we seek is the elimination of weapons of mass destruction, the curbing of the arms trade, and the eradication of massive, endemic poverty. We have no choice if humanity is to survive.

This distressing time must teach us that violence and war are not inevitable. An unavoidable clash of civilizations is not our fate. War and mass violence usually result from deliberate political decisions. Rather than intervening in violent conflicts after they have erupted and then engaging in post-conflict peace-building, it is more humane and more efficient to prevent such violence in the first place by addressing its roots. This is the essence of a culture of peace approach."

Taken from an address on disarmament given 15th October 2001 at the U.N. General Assembly by Archbishop Renato Martino, the Vatican's permanent observer at the United Nations.

www.zenit.org/english (18/07/05, 16.15)

The Holy See delegation declares full support for the Conference on Illicit Trade in Small Arms and Light Weapons. Small arms are a widespread means of oppression and to limit them is way to preserve human dignity.

Mr. President,

Since there is a close relationship between weapons and violence, weapons and destruction, weapons and hatred coupled with social disintegration, arms cannot be treated simply like commercial goods. This troubling statement alone serves to guide the work of the present International Conference on Illicit Trade in Small Arms and Light Weapons in all its Aspects, at which I have the honour to represent the Holy See.

It is clear from the outset that the ethical, social and humanitarian importance of the topic under discussion cannot be separated from, but, in fact, must serve as the framework for any consideration of the supply and demand of small arms and light weapons for security, political and economic reasons.

For certain types of weapons, such as anti-personnel mines, it has been possible to devise a Convention that prohibits their use, stockpiling, production and transfer; and for other types of weapons, such as certain conventional ones which may be deemed to be excessively injurious or to have indiscriminate effects, there exists a UN Convention prohibiting or restricting their use. Nevertheless, it is well known that small arms and light weapons are the primary weapons used in conflicts of every kind throughout the world.

Unfortunately, however, it is impossible to ban all kinds of small arms and light weapons. "In a world marked by evil ... the right of legitimate defence by means of arms exists. This right can become a serious duty for those who are responsible for the lives of others, for the common good of the family or of the civil community. This right alone can justify the possession or transfer of arms". (Pontifical Council for Justice and Peace, "The International Arms Trade: an Ethical Reflection" in *Origins* 8 (24), 7 July 1994, p. 144).

This is not an absolute right, since there are specific conditions placed on the licitness of the production,

possession and acquisition of arms. Nonetheless, in our meeting today the topic is fairly limited. Here we are discussing illicit trade in small arms and light weapons. This is, in a manner of speaking, a negative statement of the fundamental question of the legitimacy of the international arms trade.

The present Conference puts on the table various concrete measures intended to address the problem of the above-mentioned illicit trade, as well as to avoid diverting small arms and light weapons into the illegal market. Of particular significance are the mechanisms for prevention, reduction, accountability and control, such as the creation of systems of marking, tracing, and record-keeping; the defining of criteria for the export of arms or for determining when there is effectively a surplus; the regulation of brokering activity; the inclusion of mechanisms for collecting and destroying arms in peace processes; the establishment of adequate standards for the management and security of the stocks of these weapons; and, taking into account the issue of demand of illicit traffic of small arms and light weapons, the implementation of educational and awareness activities aimed at promoting a culture of peace and life, through, among other things, the involvement of different protagonists in the civil society.

The Holy See applauds this political desire and offers its full support and cooperation, and it hopes that concrete results will be reached as quickly as possible.

Without a doubt, in this initial phase we are on the threshold of a new and, perhaps, long process in the area of arms control. The present International Conference is an essential step, offering as it does an important opportunity to broaden the scope of both the international debate and public awareness in order to mobilize a political will and to establish and strengthen norms and measures aimed at preventing and combating this phenomenon.

While on other fronts the process of disarmament seems to be taking its time, if not even treading down backward paths, this new approach aimed at illicit trade in small arms and light weapons stands out as a sign of hope. This process presents us once more with a fundamental step to take, one which consists in a precise and decisive change in international relations, which must be based not on the rule of the strongest and of those who are best prepared militarily, but on the force of law and according to standards and instruments capable of guaranteeing security independently of recourse to violence.

This means that actions must be based on the complex social and economic conditions that are at the root of the supply and demand of these arms, and must promote a true culture of peace and life. Such an approach is also directed against the culture of violence fed by, among other things, the illicit trade of small arms and light weapons, which sometimes could be wrongly recognised as one of the more effective instruments to solve the conflicts of daily life.

The ultimate goal uniting us in this area is the protection of the life and dignity of each and every human person. For this reason, it seems appropriate to ensure, even in this process, the centrality of the human person, and therefore to emphasize the importance of considering the human dimension in facing the problem of illicit trade in arms. It is well known that civil populations suffer the most tragic consequences from the use of light weapons and small arms; the majority of the victims of these arms are civilians, most of which are women and children.

Children in particular suffer a twofold evil effect, since on the one hand they are passively exposed to the dangers of these arms and on the other they play an active part in conflicts when they are forced into the reprehensible role of child-soldiers. My delegation deems it also important to emphasize here how such situations demand strong action on the part of the international community, which must show particular concern for children affected by conflict situations in various regions of the world, and must work to reunite them with their families and reintegrate them into society by appropriate means of rehabilitation.

Mr. President,

We are all aware that, in terms of political and economic realism, those who engage in the illicit trade of arms, as well as warlords and armed bands with terrorist or criminal intentions, have little to gain from a specific international arms agreement. Moreover, it is sad to note that solidarity with the victims of the use of small arms and light weapons -- which are in fact arms of mass destruction against the poor -- is

not always considered a high priority.

My delegation, therefore, is well aware that our discussion takes on a wide-ranging dimension, an eloquently human dimension which places before us a choice between national or corporate interest and a culture of peace and solidarity. As Pope John Paul II affirmed in his Message for the World Day of Peace at the beginning of this year, "The culture of solidarity is closely connected with the value of peace... The alarming increase of arms runs the risk of feeding and expanding a culture of competition and conflict, a culture involving not only States but also non-institutional entities, such as paramilitary groups and terrorist organizations ... Faced with such threats, everyone must feel the moral duty to take concrete and timely steps to promote the cause of peace and understanding among peoples".

Thank you, Mr. President.

The statement by Monsignor Celestino Migliore, head of the Holy See's delegation at the United Nation's Conference on Illicit Trade in Small Arms and Light Weapons, on 11th July 2001.

www.zenit.org/english (18/07/05, 16.25)

Catholic Bishops' Conference of England and Wales:

The arms trade in Colombia must be controlled to build peace.

...affirms that a peace process in Colombia, which implies a concerted response to the linked problems of violence, poverty, extreme economic inequalities, drug cultivation and trafficking, deserves the urgent and committed support of the international community, and that this support will need to include a close control of the arms trade with Colombia...."

Taken from a news release, 17 Nov 2000

www.catholicchurch.org.uk/cn/00/oo1117d.htm, (22/07/05, 16.20)

Our neighbours are all over the world, so to love them involves a commitment to control the arms trade.

"... Christ taught us that our neighbourhood is universal: so loving our neighbour has global dimensions. It demands fair international trading policies, decent treatment of refugees, support for the UN and control of the arms trade...."

Taken from 'The Common Good', teaching document.

www.catholicchurch.org.uk/resource/cg/cgtext.doc, (22/07/05, 16.15)

It is the responsibility of the developed world to restrict the arms trade to help our brothers and sisters in poorer countries.

"... Solidarity of the human family will also require the developed world to restrict the promotion of arms sales to poor countries, to open further their own markets to the products of the developing world, actively to support the establishment of appropriate regional security structures, and to refrain from imposing harsh economic adjustment programmes on the poorest countries which curtail essential social expenditure on health and education, especially for women...."

Taken from, 'The Common Good', teaching document.

www.catholicchurch.org.uk/resource/cg/cg005.htm, (22/07/05, 16.30)

CHURCH OF ENGLAND

The Government's proposals to regulate UK based arms brokers are a step in the right direction but there are still many gaps in the framework.

"4.The Church's CPAU [Community and Public Affairs Unit] has been encouraged by the Government's efforts to make British arms exports more accountable and transparent through the EU Code of Conduct, the annual reports, and the lead that it has taken in the campaign against the landmines. The decision to establish a new legislative framework in the form of the 2002 Export Control Act, for both strategic export controls and export controls on cultural objects, is welcomed, although certain provisions of the Act could have been strengthened to enhance its transparency, accountability and consistency. For this reason the CPAU encourages the Government to use the opportunity provided by the necessity of introducing secondary legislation to strengthen its proposals in the sphere of brokering.

Brokering

Extra-territoriality

5. The Government's proposal requiring UK based arms brokers to acquire a licence for their activity is encouraging, although the proposed system of licensing remains unclear and insufficient. It specifically fails to introduce controls on all UK brokers wherever they are located, despite this being promised in the Government's election manifesto in 2001. The draft legislation proposes the licensing of all deals carried out in the UK as well as the licensing of deals carried out by UK nationals abroad if it entails long range missiles, torture equipment, or military equipment to embargoed destinations. The draft legislation is less clear on the regulations governing those deals whose brokerage by UK nationals cross territorial and legislative boundaries. For this reason it is suggested that introducing full and extensive extra-territorial controls on all UK persons, regardless of their whereabouts, would avoid some of the confusion in the draft legislation. Unless this licensing system is applied on an extra-territorial basis British citizens could evade such controls by simply moving abroad to a third country to conduct their arms brokering deals even if such a deal partially originated in the UK. This could create legal loopholes that would allow brokers to trade with impunity. The lesson from the German legislative experience, which is territorially based, has highlighted the danger of the commuting arms broker.
6. The Government's commitment in its 2001 election manifesto to introduce controls on all UK brokers wherever they are based indicates that the Government does not object in principle to the concept of extra-territoriality. Comments made by Government Ministers at the time of the Export Control Act 2002 suggest that the Government remains concerned at the practicalities of introducing, monitoring and enforcing such a regulatory framework. These are legitimate but not insurmountable problems.
7. As the Church of England suggested in previous submissions the precedent for the exercise of such extra-territorial powers in the UK exist in, for example, the Misuse of Drugs Act 1971, the Chemical Weapons Act 1996, the Sex Offenders Act 1997 and the Landmines Act 1998. More recently the Anti-terrorism, Crime and Security Act of 2002 extended national jurisdiction on corruption to UK residents in third countries. The Home Office Consultation Paper recognised the practical problems in policing and prosecuting offences, but argued that "this could send a strong deterrent message that the UK is determined to act against corruption wherever it occurs". (June 2002, p12)
8. The Church of England's Community and Public Affairs Unit suggests that while the Government was right to legislate against the exploitation of children by UK citizens, wherever the offence takes place, so it is morally right to regulate the trafficking of arms by UK arms brokers where ever such brokers are based. Although the level of prosecutions might be low, an important principle would be established. Indeed, it might appear morally hazardous to introduce legislation regulating the sale of arms at home, but doing nothing to regulate the sale of arms by UK nationals living and working abroad. The US system, already fully extra-territorial, consisting of some 200 US registered brokers, could provide a suitable modus operandi for the UK. A similar UK register accompanied by a targeted information policy would ensure that legitimate brokers with UK nationality were not discriminated against.

Open General Trade Licenses

9. In addition to standard individual licences for trading activities, the draft legislation proposes introducing an Open General Trade Licence covering the trade in everything on the Military List barring torture equipment, long-range missiles and land mines. This permits brokers to trade in goods between selected countries with no additional licensing requirement. The consultation document lists 40 countries to which arms should not be sold. This list is by means exhaustive and does not include countries such as Turkey, Colombia, Indonesia, Syria and Israel - all of which have given rise to human rights concerns in the past. Although case by case licensing agreements can create additional administrative burdens, there is a danger that without additional controls the proposed OGTL will effectively legitimise brokering without sufficient scrutiny or regulation.

Registration

10. The draft legislation proposes a de facto list of brokers compiled from licence applications as opposed to a register with eligibility conditions. The drawback with this system is that it will be a piecemeal rather than comprehensive list of brokers, which could perpetuate the current lack of transparency. There appears to be no provision within the draft legislation to exclude or remove brokers from this register for malpractice or prosecution following the infringement of UK law. As previously suggested the US system with a compulsory and mandatory form of registration could provide a comprehensive list of arms brokers, which would improve the transparency about this sector of the arms trade. Such a register with clear eligibility conditions would make it significantly easier to remove those arms brokers for any professional misconduct.

Rt Revd Tom Butler

The Bishop of Southwark,

Chairman, Community and Public Affairs Unit"

Taken from Church of England's Community and Public Affairs Unit Response to Consultation on Draft Secondary Legislation, Export Control Act 2002, 14 April 2003.

www.cofe.anglican.org/info/socialpublic/dti_submission_-_2003.doc, (22/07/05, 11.00)

Suggestions for alterations to current policy on arms transfers

"Recommendations to Her Majesty's Government

104. In the light of the above report, a reassessment of the policy and practice in Her Majesty's Government is desirable. Many of the elements of this approach are supported by stated government policy. However, there is a constant need for Parliament and the public to maintain close scrutiny to ensure that the standards outlined are lived up to in practice. For this to be possible, access to reliable information must be facilitated. The reassessment should lead to a policy, which is generally acknowledged as being ethically responsible, transparent, publicly accountable and consistent. This calls for:
 - (a) subordination of commercial criteria to political and ethical judgement,
 - (b) clear separation between arms transfers and provision of aid,
 - (c) refusal of arms transfers to countries engaged in, or likely to engage in, aggression,
 - (d) refusal of arms transfers to regions of tension - except to countries adjudged by the international community to be under threat and insufficiently armed to be able effectively to exercise the right of self-defence (Article 51, UN Charter),
 - (e) removal of direct and indirect government subsidies for arms transfers,
 - (f) rejection of arms transfers to countries guilty of grave and consistent patterns of human rights violations, or involved in unnecessarily high levels of arms spending (i.e. 'good government' criteria),
 - (g) rejection of arms transfers to countries in breach of international law and those which refuse to participate in international arms control negotiations and respect international agreements,
 - (h) support for an international ban on the production and transfer of anti-personnel mines, including prohibition of their export from the United Kingdom,

- (i) given the international character of the arms trade, Her Majesty's Government is encouraged to continue in, and intensify, efforts towards responsible limitation of the arms trade through negotiations with other Permanent Members of the Security Council (P5) and towards a co-ordinated policy with European Union partners, in order to ensure that the boundaries of the single European market are effectively controlled to agreed high standards with regard to export of arms and dual-use equipment."

Appendix 1 of East Timor - The Politics of Transition: Report from the Board for Social Responsibility

www.cofe.anglican.org/info/socialpublic/east_timor_-_final.doc, (22/07/05, 12.25)

The sale of small arms leads to the deployment of child soldiers and this must be stopped, as must all conflict in the poorer nations.

"...What are we really prepared to do about the long-term effects of irresponsible international economic policies and priorities, which serve to reinforce the instability that feeds violence in poorer nations? There are many issues involved here of which debt is probably the most familiar, but another blindingly obvious factor, as the Africa Commission has highlighted, is the arms trade. The sale of small arms in particular makes it easier to deploy child soldiers. How is this disgrace to be brought to an end? And what sustained investment can we promise to rehabilitate children already brutalised by these conflicts?..."

Taken from an open letter from the Archbishop of Canterbury, Dr Rowan Williams, to the leaders of political parties in the 2005 General Election. (31st March 2005)

www.cofe.anglican.org/news/abcletter.html, (22/07/05, 12.45)

The Church of England Ethical Investment Advisory Group (EIAG) outlines its standpoint on investment in companies involved in any way in the transfer of arms.

"CHURCH INVESTMENT & ARMAMENTS: Some Questions & Answers

What is the Church of England's policy towards investment in armament manufacturers?

Our policy is not to invest in companies that supply or manufacture armaments.

What does the Church mean by armaments?

Companies which supply military platforms or complete systems and products such as aircraft, naval vessels, tanks, helicopters and armoured vehicles, and those supplying weapons or weapons systems.

And these are completely avoided?

Yes.

Has this policy recently changed?

The Church has historically avoided armaments where these constituted the main business or focus of any company. However a policy review resulted in new criteria being adopted that provide for the complete exclusion of armaments.

Does the Church therefore no longer support a national defence capability?

The Church accepts the right of nations to defend themselves and to engage in peacekeeping initiatives; it is also mindful of the wide range of opinions within the Church on this issue. Our investment policy reflects a pragmatic response to the concerns of many within the Church regarding investment in these areas.

So the Church does not invest at all in the defence industry?

Investment is allowed in companies that have exposure to the supply or manufacture of non-offensive military equipment where this does not constitute the main business.

What does the Church mean by non-offensive equipment?

By this we mean suppliers of avionics, radar, sonar, instrumentation, components, military IT and software, as well as refit and commissioning of military systems.

What about the export of defence equipment to countries with poor human rights records?

The Church recognises that arms and defence equipment are not like other goods, and that strict regulation is required in which the government, its partners and the international community are the only assurance against the sale of arms to repressive regimes. The Church advocates an export policy based on legitimacy, accountability, respect for human rights and the rule of law.

Does the policy extend to manufacturers of equipment that could be used for torture?

Yes.

What are the criteria for monitoring these types of company?

Companies are monitored individually and assessed case by case. So that we balance our fiduciary duty with ethical expectations, we consider issues such as products made, capital employed, sales turnover, profits derived and whether the business is growing. The EIAG reviews all cases and makes recommendations accordingly.

Are there any other areas in the defence industry where investment is allowed?

Companies providing services and facilities analogous to those in civil society do not form part of our criteria for defence, investment, and are allowed. These include such things as catering, clothing, furniture, buildings management and telecommunications.

Has the Church disinvested from any company following the change in policy?

Yes. The EIAG recommended that investment should be avoided in a number of companies as a result of the policy review.

Is the EIAG able to compel disinvestment?

No. The EIAG is an advisory body that makes recommendations only. Disinvestment remains the preserve of each Trustee body acting on the recommendations made to it.

Does the EIAG support wider campaigning against the international trade in arms?

Although we share many similar concerns, we are not ourselves campaigners.

The Church of England Ethical Investment Advisory Group was established in 1994 and includes representation from the

Church Commissioners for England, the CBF Church of England Funds, The Church of England Pensions Board, the General

Synod, the Archbishops' Council, and the Council for Mission & Public Affairs

CCLA Investment Management Limited, SRI Unit, 80 Cheapside, London EC2V 6DZ

020 7489 6000 ethics@ccla.co.uk"

The Church of England Ethical Investment Advisory Group, revised January 2005.

www.cofe.anglican.org/info/ethical/ganda/armaments.pdf, (22/07/05, 12.55)

UNITED REFORMED CHURCH

The URC resolves to undertake a review of shareholding in companies with activity in armaments.

"General Assembly:

a) urges the URC Trust and the URC Pensions Trust to dispose of all shares held in GKN and any other companies involved with the arms trade and

b) instructs Mission Council to report to the Assembly on the ethical policies followed with regard to the investments of the Church...

.... Before the Northern Synod met in March an article had appeared in the press concerning continuing investment in the arms trade by organisations that seek to present themselves as morally and socially responsible. A number of members had read this article, and had been dismayed to see the United Reformed Church cited alongside various Oxbridge colleges and trades unions among the offenders, and standing out as the only Church on the list.

We had believed on the basis of numerous General Assembly debates and resolutions over the years that the United Reformed Church has a commitment to ethical investment. We recognise that those who work on our behalf in this field may be constrained in various ways, and that particular problems arise from companies like GKN where only a proportion of activity is in armaments. However, the sole listing of the United Reformed Church in that particular article suggests that other Churches have found ways of meeting these problems; and believing that we can take similar steps we present this resolution. We feel that it is timely undertake a review and for Assembly to endorse our current practice."

Resolution 2, on Ethical Investment, of the 2001 General Synod.

www.urch.org.uk/general_assembly-2001/reports/synod_resolutions.htm, (22/07/05, 14.55)

Peacemaking involves disinvesting from companies involved in the arms trade.

"...We continue to urge the United Reformed Church and synods to dis-invest from companies in the business of arms trading. The United Reformed Church is now a member of the CTBI Decade to Overcome

Violence Working Group. We are all called to be peacemakers in a world broken by violence and conflict."

Taken from the 2004 General Assembly report.

www.urch.org.uk/assembly/assembly2004/Reports/Church_and_society.html, (22/07/05, 15.05)

SOCIETY OF FRIENDS (QUAKERS)

The three goals of the Geneva Forum, all centred around arms control.

- Building agendas around new and emerging issues in arms control and disarmament
- Supporting ongoing arms control and disarmament negotiations
- Promoting the implementation of arms control and disarmament agreements.

The Geneva Forum consists of the Quaker UN office, the United Nations Institute for Disarmament Research (UNIDIR) and the Programme on Strategic and International Security Studies (PESI) of the Graduate Institute of International Studies.

www.quano.org/disarmament/geneva-forum.htm, (22/07/05, 15.30)

In order to achieve peace, priorities should be reversed to favour non-military security measures over military programmes.

"'You cannot foster harmony by the apparatus of discord, nor cherish goodwill by the equipment of hate. But it is by harmony and goodwill that human security can be obtained.' (Quaker Faith and Practice 24.40)

1.1 *A misguided response*

An effective response to the proliferation of weapons of mass destruction depends on prioritising diplomacy, arms control and international disarmament, as well as building the conditions of inclusive security over the long-term. Political and financial commitments to non-military security measures, such as co-operative threat reduction programmes, the Millennium Development Goals and disarmament and non-proliferation instruments, are being displaced by a surge in military measures. The estimated costs of missile defences alone exceed those of all the Millennium Development Goals combined. Achieving peace depends on developing good relationships, not a quest, represented in missile defences, for an illusory security based on military supremacy...."

Taken from the Submission to Defence Select Committee Inquiry on Missile Defence

www.quaker.org.uk/peace/briefs/missdef.html, (22/07/05, 15.40)

There are moral and financial arguments to the effect that the Export Credit Guarantee Department should not underwrite arms exports.

"...The rationale for excluding defence related exports is that these are subject to a separate licensing regime. However the process of export licensing neither includes a rigorous analysis of potential impact nor does it ensure compliance with the criterion of productive expenditure. To exclude such a major sector from the scope of analysis draws into question the strength of commitment to the case impact analysis process. The following comments are offered in support of the proposition that :

1. Export Credits should not be provided for arms related business.
2. In any event applications for export credits for the defence sector, including dual use goods should be subject to a no less rigorous process than any other exports.

1.2 *The case against ECGD underwriting of arms sales*

The Religious Society of Friends has a settled opposition to arms exports

- On the basis of the harm arms may cause in warfare
- The distortion that they cause to the economies of developing countries with the diversion of scant resources from productive expenditure
- The contribution they make to instability and conflict in some of the poorest parts of the world.

Quite apart from these issues of principle there are solid domestic economic grounds for the withdrawal of ECGD from the underwriting of arms related contracts. Not only is the underwriting of arms exports making a loss, but it conflicts with ministerial statements, that the department should do "a good deal better than break even." [Hansard 2 February 2000 202 WH]. In its consistent and previously unaccounted for losses, in respect of arms related exports over the last ten years the ECGD appears to exist a twilight of legality and transparency....

...What is becomingly increasingly clear is over the longer term ECGD is making a loss specifically in relation to defence related exports.

ECGD is required by the government to "operate with a reasonable confidence of breaking even" and to add a reserve margin to the premium, yet **in relation to the arms sector it has made a loss to every one of the past twelve years**. In any one year a loss could be an anomaly - what is inconceivable is that there should be a loss in twelve consecutive years without there being a policy of either monumental incompetence or deliberate subsidy. This evidence of subsidy is not on the basis of flimsy and selective figures but on the basis of government accounting released in response to Parliamentary Questions. [PQs Paul Stinchcombe 12 June 2000 Hansard 463 W and PQ number 2001/2153 14 January 2002 Jim Cousins 21st June 2002 Hansard 588W]..."

Taken from the Response to Export Credit Guarantee Department public consultation on case impact analysis.

www.quaker.org.uk/peace/briefs/credit.html, (22/07/05, 15.45)

METHODIST CHURCHES

The Churches decide to sell their shares in a company with significant involvement in the arms trade.

" ... b) Armaments

The Committee reviewed the continuing concern within the Churches about investment in armaments, as well as publicity from the Campaign Against the Arms Trade (CAAT) on this subject. It noted the clear distinction made in a Methodist Recorder article between the CFB's ethical policy of not investing in companies with significant exposure to the arms trade, and the fact that TMCP held some shares in defence companies, but only as a custodian body with no power of obliging local trustees to divest particular shares. The Committee also considered the Church of England's policy in this area, and noted the ethical policies of other Churches on defence. The Committee endorsed the decision of the CFB Investment Committee that the shareholding in Smiths Group should be sold on ethical grounds. It was reported that the CFB had received shares in Smiths Group as a result of the merger of Smiths with the CFB's previous holding of TI Group. The Investment Committee decided that the level of military exposure, over 20% of total sales of the merged company, made it an unacceptable holding."

Taken from METHODIST CONFERENCE 2001 REPORTS: Joint Advisory Committee on the Ethics of Investment

www.methodist.org.uk/index.cfm?fuseaction=information.content&cmid=352, (22/07/05, 14.30)

OTHER CHRISTIAN CHURCH RESPONSES

World Council of Churches

Violence in our world must be eradicated.

"Addressing holistically the wide varieties of violence, both direct and structural, in homes, communities, and in international arenas and learning from the local and regional analyses of violence and ways to overcome violence.

Challenging the churches to overcome the spirit, logic, and practice of violence; to relinquish any theological justification of violence; and to affirm anew the spirituality of reconciliation and active nonviolence.

Creating a new understanding of security in terms of cooperation and community, instead of in terms of domination and competition.

Learning from the spirituality and resources for peace-building of other faiths to work with communities of other faiths in the pursuit of peace and to challenge the churches to reflect on the misuse of religious and ethnic identities in pluralistic societies.

Challenging the growing militarization of our world, especially the proliferation of small arms and light weapons."

The goals of the World Council of Churches' Decade to Overcome Violence.
www.overcomingviolence.org/, (20/07/05, 12.15)

Council of European Churches

Governments should pay more attention to the cause of conflicts, thereby preventing them and bringing about peace. Military endeavours should be ceased.

"...It is a well-recognised fact, that conflict prevention is a much more humane and cost-effective alternative than reconstruction after a military intervention. Democratisation, the implementation of human rights and the rule of law, meeting the economic needs of people as well as the development of effective means for non-violent conflict management are important elements in the aftermath of violent conflict. But generally speaking, too little attention is paid to the prevention of conflicts. Governments still invest more resources in military operations and post-conflict reconstruction - as recent history in South Eastern Europe shows.

The political will of the international community to respond in time with just and peaceful means to emerging conflicts needs to be strengthened, in order to save the lives of innocent people and to avoid escalation of conflicts. Crises must be dealt with as early as possible in the causal chain. Root causes must be addressed and appropriate instruments need to be developed to handle conflict situations in a coherent way. Improved interplay between military and civil instruments is called for. The role of NGO's and civil society in conflict prevention and rehabilitation must be better recognised and better resourced.

This is a primary task for all inter-governmental organisations as well as for the European Institutions...

...10. A need for lower levels of military arms, restrictions of exports of conventional arms, and the phasing out of weapons of mass destruction.

In spite of considerable reductions since the end of the Cold War, many military resources and many ways of thinking about security from that era have survived. The road to a pan-European security order calls for a programme for the elimination of weapons of mass destruction and a clear ambition in individual countries, alliances and Europe as a whole to seek to achieve their own military security in ways that do not imply insecurity for others.

This would call for a more restrictive arms export policy and it also means consciously seeking to avoid weapons systems, particularly weapons of mass destruction, that could be perceived as provocative.

It is also essential to keep agreements once made, in order to avoid returning into old patterns of accumulation of armaments or entering into new ones. This is primarily a task for: the UN, OSCE, Nato, and WEU."

Taken from 'A Pan European Security Community', issued by the Council of European Churches, Apr 2002
www.cec-kek.org/English/PANEuroFinalFinal.htm, (20/07/05, 16.45)