

Arms Trade (Inquiry and Suspension) Bill

[AS INTRODUCED]

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Make provision for an inquiry into the end use of arms sold to foreign states to determine whether they have been used in violation of international law; to immediately suspend the sale of arms to foreign states where it cannot be demonstrated that arms sold will not be used in violation of international law; and for connected purposes.

BE IT ENACTED by the King’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 End use of arms inquiry

- (1) *The Secretary of State must, no later than 60 days after the day on which this Act is passed, commission an independent inquiry (“the inquiry”) into the end use of arms sold to foreign states, with a view to determining whether they have been used in violation of international law.* 5
- (2) The inquiry commissioned under subsection (1) is to be known as the Arms Sales Inquiry (“the Inquiry”).
- (3) The Secretary of State must—
 - (a) appoint to chair the Inquiry any candidate recommended by resolution of the Foreign Affairs Committee of the House of Commons; and 10
 - (b) appoint as panel members to the Inquiry any candidates recommended by resolution of the Foreign Affairs Committee of the House of Commons.
- (4) The Arms Sales Inquiry must conduct an investigation into—
 - (a) the end use of UK arms exports, 15
 - (b) compliance with international law by states in respect of which arms export licenses have been granted,
 - (c) the application of export licensing criteria in respect of previous arms exports, with specific reference to Strategic Export Licensing Criteria 1 to 3 and to the Arms Trade Treaty. 20
- (5) The Inquiry must also —
 - (a) consider the effectiveness of the current legislation and processes for arms export licensing, and identify any deficiencies,

- (b) recommend any improvements it considers necessary to reduce or eliminate the risk of arms being exported to states that may use them in violation of international law.
- (6) In carrying out its duties under subsections (4) and (5), the Inquiry must consult persons who appear to the chair and panel members to represent communities impacted by, or at risk of being impacted by, potential or actual violations of international law committed using UK arms exports. 5
- (7) The Inquiry must prepare –
 - (a) an interim report, which must be published 6 months after the Inquiry begins its work, and 10
 - (b) a final report.
- (8) Reports under subsection (7) must be published in accordance with the provisions of section 25 of the Inquiries Act 2005 (publication of reports), save that subsection (4)(b) shall not apply.
- (9) After the final report of the Inquiry has been published, a Minister of the Crown must make an oral statement to both Houses of Parliament, setting out the Government’s response to the report. 15

2 Suspension of arms sales

- (1) Where it cannot be demonstrated that arms sold to a foreign state will not be used in violation of international law, the Secretary of State must immediately take all steps necessary to suspend the sale of arms to that state. 20
- (2) The steps necessary under subsection (1) include –
 - (a) the immediate suspension of any arms export licence granted in respect of that state,
 - (b) the immediate suspension of any application for an arms export licence in respect of that state. 25
- (3) The Secretary of State must publish any assessment they have made of the risk that –
 - (a) arms sold to a foreign state may be used in violation of international law, or 30
 - (b) that a foreign state is acting in violation of international law for the purposes of complying with their duty under subsection (1).

3 Consequential provision

- (1) The Secretary of State may by regulations make consequential provision for the purposes of, or in connection with, giving full effect to a provision of this Act. 35
- (2) The regulations may (among other things) amend, repeal or revoke a provision contained in, or in an instrument made under, an Act of Parliament.

- (3) A statutory instrument containing regulations made under this section is subject to annulment in pursuance of a resolution of either House of Parliament.

4 Extent, commencement and short title

- (1) This Act extends to England and Wales, Scotland and Northern Ireland. 5
- (2) This Act comes into force on the day on which it is passed.
- (3) This Act may be cited as the Arms Trade (Inquiry and Suspension) Act 2024.

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Presented by Zarah Sultana

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