



Europe Deals Arms While Defending Rights

McNabb Associates, P.C. (Federal Criminal Defense Lawyers)

Submitted at 9:10 AM March 5, 2012

The New York Times on March 5, 2012 released the following:

“By JUDY DEMPSEY

BERLIN — When the Arab Spring swept across much of North Africa and the Middle East last year, it exposed European policies toward the region.

Many E.U. countries had been exporting weapons to dictatorships and authoritarian regimes, often with scant regard to whether the arms were used for quashing dissent and propping up the status quo.

Shamed by their support for these regimes, the Arab Spring has given Europe a chance to start fresh — not only with that region but also with how it does business with dictatorships in Central Asia.

But two new reports, one by the European Union and the other by Sipri, the Stockholm International Peace Research Institute, show that European companies and governments are seeking markets for their weapons outside Europe more eagerly than ever.

Not all these markets are in stable, conflict-free, democratic countries. This raises the question of how Europe can square its commitment to defending human rights with selling weapons to such countries.

“European governments have sold weapons to bad guys for a long time,” Bates Gill, director of Sipri, said in an interview. “There are plenty of examples for that in spite of the high-sounding principled language about monitoring arms sales.”

On one level, this is hardly surprising. Defense spending is declining among most E.U. countries as governments cut budgets.

And with the need to protect jobs, governments and arms producers seek new markets.

Security experts say that the Middle East region and further afield in Central Asia will remain a lucrative market for European arms companies. Indeed, Sipri suggests as much in its annual report, published last week, in which it listed the 100 top arms companies by sales.

The list is not exhaustive. It excludes companies from China, Ukraine and Kazakhstan because of the unreliability of their statistics. Highly successful German

arms producers, too small to make the top 100, are also excluded.

Nevertheless, the report is revealing for several reasons. It shows how the arms trade is thriving, despite the global financial crisis and the economic downturn across most of Europe. Sales of arms and military services increased to \$411.1 billion in 2010 — a 1 percent increase compared with 2009 and a 60 percent increase since 2002.

The United States and Europe continue to dominate the arms-producing and military-services companies. Forty-four U.S. companies accounted for more than 60 percent of all arms sales listed by Sipri. The 30 European companies on the list account for 29 percent of total sales, or about \$119 billion. The majority are French, German and British companies.

But probably the most interesting implication of the report is that Europe’s arms trade to many countries is at odds with the Union’s commitment to human rights. Member states continue to sell large quantities of weapons to dictatorships and authoritarian regimes, according to new statistics published by the Union.

This is despite the fact that the Union has its own code of conduct on arms exports. It was first agreed among the member states in 1998 and updated in 2008 in an attempt to harmonize arms export policies. But the Code of Conduct has serious shortcomings: National governments and not the Union decide the granting of arms export licenses.

“Despite efforts at the E.U. level, states continue to maintain final control of all aspects of arms export licensing,” Mark Bromley, a Sipri arms transfer expert, argued in a recent study of the Union’s arms exports policy published by the E.U. Non-Proliferation Consortium, a network of independent research groups. This is confirmed in the latest E.U. report on arms exports.

In 2010, for example, the report showed that member states together sold weapons worth €3 billion, or nearly \$11 billion at current exchange rates, to the Middle East and North Africa.

“When the Arab Spring began in 2011, some of these arms were used to mow down democracy activists,” said Kaye Stearman, a spokeswoman for the Campaign Against Arms Trade, which is based in Britain.

The report is published annually because member states, only after long negotiations, promised to provide the figures. But there are glaring omissions.

The report states that statistics are compiled according to national standards by each member state. “Consequently, owing to current procedures in the area of arms export reporting or data protection legislation, not all countries have been able to submit the same information,” it adds.

Furthermore, it says that Belgium, Denmark, Germany, Poland, Greece, Ireland and the United Kingdom did not supply data concerning the value of arms exports in euros. Sweden declined to report the number of licenses issued. France and Italy did not provide information on the number of licenses issued or the value of the licenses issued in euros.

If the Union wants to rebuild its credibility across the Middle East and among civil society movements in non-democratic countries, it needs more than ever a strong security and arms exports policy to reflect its values.

So far, however, it seems that neither national governments nor the Union itself are pushing hard enough to export those values.”

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Douglas McNabb and other members of the U.S. law firm practice and write and/or report extensively on matters involving Federal Criminal Defense, INTERPOL Red Notice Removal, International Extradition and OFAC SDN Sanctions Removal.

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Holder expected to explain rationale for targeting U.S. citizens abroad

McNabb Associates, P.C. (Federal Criminal Defense Lawyers)

Submitted at 8:38 AM March 5, 2012

The Washington Post on March 4, 2012 released the following:

“By Sari Horwitz and Peter Finn

Attorney General Eric H. Holder Jr. on Monday plans to provide the most detailed account to date of the Obama administration’s legal rationale for killing U.S. citizens abroad, as it did in last year’s airstrike against an alleged al-Qaeda operative in Yemen, officials said.

The rationale Holder plans to offer resembles, in its broad strokes, those previously offered by lower-ranking officials. But his speech Monday will mark a new and higher-profile phase of the administration’s campaign to justify lethal action in those rare instances in which U.S. citizens, such as New Mexico-born Anwar al-Awlaki, join terrorist causes devoted to harming their homeland.

Civil libertarians and other critics have been demanding a more thorough and public accounting of the administration’s logic since the killing of Awlaki in September. Administration officials have relied on a classified opinion, written by the Justice Department’s Office of Legal Counsel, that provides a legal framework for the unusual action, but they have refused repeated requests to release it despite intense internal debate on the subject.

Holder plans to argue that the killing of an American terrorist abroad is legal under the 2001 congressional

authorization of the use of military force, according to an official briefed on the speech, who spoke on the condition of anonymity to discuss its details ahead of its formal release. This official also said Holder plans to say that the U.S. right to self-defense is not limited to traditional battlefields as the government pursues terrorists who present an imminent threat.

Awlaki, 40, was a skilled propagandist and the chief of external operations for al-Qaeda’s affiliate in Yemen, which has attempted a number of terrorist attacks on the United States, according to administration officials. He had been placed on “kill lists” compiled by the CIA and the military’s Joint Special Operations Command. Awlaki died when a joint CIA-JSOC drone operation fired missiles at him.

He was the first U.S. citizen deliberately targeted by the U.S. government.

Major address on security

The Awlaki operation was carried out after the administration requested and received the Justice Department opinion saying that targeting and killing U.S. citizens overseas was legal under domestic and international law, according to administration officials. The classified memo also included intelligence material about his operational role within al-Qaeda’s affiliate in Yemen.

Senior Obama administration officials, including John O. Brennan, the president’s counterterrorism adviser, and Harold Koh, the State Department legal adviser, have given speeches that offered a broad rationale for U.S. drone attacks on

individuals in al-Qaeda and associated forces.

On Feb. 22, in a speech at Yale Law School, Pentagon General Counsel Jeh Johnson said the targeted killing of those suspected of engaging in terrorist activities against the United States, including U.S. citizens, is justified and legal. He did not mention Awlaki by name or the secret CIA drone program.”

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