Arms Trade Treaty

Control Arms

Background
On 24 December 2014, the Arms Trade Treaty (ATT) entered into force, following its opening for signature on 3 June 2013. This followed more than a decade of campaigning and seven years of work at the United Nations. The ATT is the first treaty aimed at reducing humanitarian suffering by bringing the conventional arms trade under control. If implemented effectively, it will reduce prevent the transfers of arms where there is a risk of violations of the Treaty. At the time of writing, there are 87 states parties and a further 47 signatories.

Current context
The second Conference of States Parties (CSP) took place from 22–26 August in Geneva, Switzerland under the Presidency of Ambassador Emmanuel Imohe. With most procedural matters settled at CSP1 last year, there were hopes that the second CSP would be a space for greater substantive discussion. Unfortunately, this was not the case. States parties avoided addressing real concerns about the Treaty’s implementation or any discussion of actual arms transfers, and instead chose to focus on safer procedural and administrative subjects. Specifically, there was no response to the concerns raised by civil society with regard to on-going transfers of arms by some states parties and signatories to Saudi Arabia, despite the clear risk of their use against civilians in Yemen. No states parties, signatories, or observers, with the sole exception of Zambia, spoke on the subject of problematic arms transfers.

The issue of reporting was a major topic at the CSP. Following failed efforts to agree on reporting templates during the first CSP, states parties were expected to adopt templates to standardise reporting formats, which would make it easier to draw comparisons and monitor compliance. Another aspect of debate was whether or not it would be mandatory for reports to be public. This could have been achieved through the removal of the “make this report public or private” tick box on the draft templates of both the initial and annual report. Public reporting is a key way to increase transparency in the arms trade. There was not, however, a lot of commentary from states on the content of the templates. Instead, states chose only to discuss the status, rather than the content, of reporting templates, and the only major decisions taken by the Conference on reporting were to “endorse” both the initial and annual reporting templates, and to recommend their use by states parties. The tick box remains, meaning that states parties can opt out of making their report public. While these templates can be amended in the future, the lack of agreement on the essential area of transparency falls far short of pre-Conference expectations.

By 31 May 2016, 63 states parties should have submitted their first annual report. Of these,
47 (75 per cent) did so, with 45 making them publicly accessible. Each year, on 31 May, all states parties are required to submit an annual report on their transfer activities. A template for this report has not yet been agreed either. Of the 63 reports expected, 32 were submitted on time (50 per cent), of which 30 were publicly accessible, and two were marked “secret”. This early rate has fallen short of the findings from the Control Arms ATT Monitor Report 2015, which found that 82 per cent of countries had previously submitted some form of public report on arms transfers between 2009 and 2013.

There was however positive progress made in other areas of Treaty implementation. There appears to be a significant amount of time and resources being put into national implementation, as described by states parties in their statements during the week as well as updates on efforts to accede to or ratify the ATT. The Conference established a Voluntary Trust Fund for ATT implementation, as well as three working groups to allow work to continue between CSPs, on transparency and reporting; implementation; and universalisation.

Other key outcomes include the confirmation of Dumisani Dladla as the Permanent Head of the ATT Secretariat, and Australia, Guatemala, Bulgaria, and Sierra Leone as the new Vice Presidents. As the ATT will not enter into force for Guatemala until 10 October, Costa Rica agreed to continue serving as Vice President until 9 October.

The third CSP will be held at the CICG Conference Centre, Geneva from 11-15 September 2017, under the Presidency of Ambassador Korhonen of Finland.

The last year has seen continued emphasis on increasing understanding about implementation issues. The Control Arms Coalition and other civil society groups, regional organisations, and states have continued to organise and participate in multiple seminars, workshops, and trainings have taken place around the world to support ATT universalisation and implementation. There was also good progress in broadening the membership of the Treaty in its first year as international law. Between 31 May 2015 and 31 May 2016, 14 countries ratified it and two acceded. Most of these were from Africa.

**Recommendations**

*During First Committee, delegations should:*
- Highlight and challenge arms transfers that appear to be in violation of the Treaty;
- Encourage continued universalisation of the Arms Trade Treaty;
- Participate in and contribute to the substantive discussions taking place in side events and elsewhere in order to share expertise and strengthen capacity for the robust implementation of the ATT; and
- Support an ATT resolution that calls for strong and effective Treaty implementation.

*Beyond First Committee, states should:*
- Implement the ATT robustly and in a transparent manner—in order for the ATT to have the most impact on the ground, strong international norms must be established;
- Ensure timely and comprehensive reporting, and make their reports public;
- Share best practices and provide implementation support, through information exchange and resources; and
- Support the newly established Voluntary Trust Fund.