EDITORIAL: DEATH, SHADOWS, AND PROFITS—A POLITICAL ECONOMY OF THE INTERNATIONAL ARMS TRADE
Ray Acheson | Reaching Critical Will of WILPF

“I am concerned about the gap that that subsists between the duty to ensure respect for international humanitarian law in arms transfers and the actual transfer practices of too many States,” said the International Committee of the Red Cross (ICRC) president Peter Maurer in a video statement to the first Conference of States Parties (CSP1) of the Arms Trade Treaty (ATT). The ICRC, among others speaking during the opening day of the Conference, expressed dismay about the “appalling consequences” of the irresponsible, poorly regulated, and illicit trade in conventional weapons. “If States are to join the Treaty but continue to transfer arms to belligerents,” warned Maurer, “this would severely undermine the ATT’s humanitarian purpose and its credibility.”

The fact that ATT states parties and signatories continue to engage in arms transfers that result in human suffering highlights a critical gap between law and practice. El Salvador spoke of the violence plaguing Central America. Yemen highlighted the flow of arms to the Middle East, arguing that the conflict in Yemen is one of the biggest destinations for arms transfers today. Small Arms Survey has found that exporting states continue to send weapons to Egypt, Libya, Mali, Syria, and others, to governments and to non-state armed groups.¹

Few major arms producers spoke. The United Kingdom, which was one of the countries initially pushing for negotiation of an ATT, sent a video message. The sixth largest exporter of conventional arms, the UK said that the ATT reflects global determination to stop irresponsible transfers. Yet it has come under pressure from human rights and arms control groups over its transfers to Israel,² Russia,³ and others.⁴ Germany, the fourth largest exporter, indicated its ongoing support and commitment to the ATT. Last year it announced a “more restrictive” arms export policy—yet had orders for Saudi Arabia, Israel, Egypt, and Algeria.⁵ France, the fifth largest exporter, spoke of the ATT’s respect for the human rights and highlighted the importance of its conscientious implementation. Yet France has been seeking to increase its arms exports, notes SIPRI, which was recently boosted by a deal with Egypt for combat aircraft.⁶

As is seen time and again, it is the developing world that has been devastated by the indiscriminate circulation of arms, while the developed world profits. Developing countries are on the receiving end of most flows of arms, suffer the consequences of their proliferation and use, and then have to divert resources from development to deal with the aftermath of this destruction, as Antigua and Barbuda noted. “The destruction and dislocation generated by armed conflict and armed violence, the climate of uncertainty that follows the threat of violence like a shadow, seriously hamper any attempts at economic and social development or growth,” warned Sweden. “Future generations are being robbed of their heritage by the events of today.”

As Argentina explained, commercial interests, operating without scruples, have a serious impact on development. Indeed, companies and governments make billions from the international arms trade. A new fact sheet from Amnesty International indicates that the value of global arms transfers is approaching 100 billion USD annually. While the top five arms exporters—USA, Russia, China, Germany, and France—are responsible for 73% of this trade, small arms are produced by more than 1000 companies in nearly 100 countries.⁷ The arms production industry is profitable—and it is often commercial interests that direct transfer policy. “The USA has long seen arms exports as a major foreign policy and security tool, but in recent years exports are increasingly needed to help the US arms industry main-

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Editorial, continued

tain production levels at a time of decreasing US military expenditure,” the Stockholm International Peace Research Institute has found.⁸

We hear countless states talk about promoting the “responsible arms trade”. We hear them say they want to prevent weapons from “falling into” the “wrong hands”. But the fact is that there are no right hands for the wrong weapons. There is no truly responsible trade for weapons. The international arms trade results in death, destruction, injury, devastation of individuals, families, communities, countries, regions. And the profits made from this horror impede the development of more socially and economically just enterprises in producing and exporting countries. The culture of violence is embedded in the societies, politics, and economics of countries on both sides of the arms trade.

Hundreds of thousands of tools of destruction are sold, billions of dollars are made. Yet what we don’t know about the arms trade remains great. And despite the restrictions and regulations set out by the ATT, even its states parties remain largely unaccountable for their transfers or for transparency around those transfers. This led many states speaking at CSP1 to call for accountability, including through public reporting, in particular from the major exporters. “It is not sufficient to express shock at the bloodshed and devastation that we see every day on the streets of Central America and the Caribbean, or in Darfur, Libya, South Sudan, Yemen, Syria and other countries in Africa and the Middle East,” declared Costa Rica. We must “resist pressures from certain States for vague definitions, exclusions or loopholes that prevent us from knowing, for example, actual quantities of conventional weapons that are traded each year. Without such transparency this treaty will quickly lose its ‘raison d’etre’. Enough of excuses and ambiguities.”

Excuses and ambiguities surround all aspects of the arms trade. The ATT could be useful for confronting and minimising the challenges associated with transparency and accountability. It could help prevent atrocities, protect human rights and dignity, reduce suffering, and save lives. But to do so effectively, states parties need to implement it with these goals in mind. Any and every transfer must be measured in the strictest way against the risks. Every state must think of the Treaty in the context of peace, justice, and human rights, not profits and political manipulation. If they were to do so, the arms trade would look substantially different than it does today. It most likely would not exist at all.

Finland’s Secretary of State ended his speech with a passionate, personal appeal for his son to be able to grow up in a better world. Changing the way we engage with the trade and use of weapons is critical to meeting this goal. It is an enormous task but why should that ever prevent us from working towards that end? “We shall never give up in our struggle to make this world safer and more peaceful,” said the Finnish representative. That is the orientation states parties must take throughout the rest of this Conference and beyond.


6 Ibid.


NEWS IN BRIEF
Mia Gandenberger | Reaching Critical Will of WILPF

The News in Brief is not a comprehensive summary of all statements. It highlights positions on a few critical issues covered during plenary discussions.

- 16 high-level speakers addressed the first conference of State Parties of the ATT.
- The high-level opening ceremony also included a speaker from civil society, gun violence survivor Alex Gálvez.

Rules of procedure
States met in parallel to the general debate to discuss outstanding matters on the rules of procedure.

Belize and Denmark called for standing invitation for civil society to the conferences of states parties.

Financing
- Costa Rica called for fair and sustainable financing rules.
- Guatemala stressed the financial rules should ensure the fiscal health of the Treaty regime and be fair and equitable.
- El Salvador thought it is necessary that the financial rules will ensure resources for a functioning treaty regime, but must take into account the economic situations of countries.
- Japan reiterated its position on financial matters and called for minimum and maximum contributions and expressed its support for the management committee.

Secretariat
- The states of the three candidate cities, Geneva, Port of Spain, and Vienna, reiterated their applications.
- CARICOM, Argentina, Netherlands, Belize, Antigua and Barbuda, New Zealand, Spain, Peru, Chile, expressed support for Trinidad and Tobago’s application for the host of the secretariat.
- El Salvador, Belize, Guyana, stressed staffing decisions should ensure geographic and gender diversity.
- Austria thought decisions concerning secretariat should be taking by consensus or broad majority.
- South Africa highlighted his candidate for the head of the Secretariat.
- Spain stressed the importance of appointing a head for the Secretariat.
- Liechtenstein would prefer the Secretariat to be hosted in an established center of multilateral diplomacy.

Transparency
- The ICRC stressed that transparency was critical for successful implementation of the ATT.
- Costa Rica, El Salvador, Netherlands stressed that reports should be public.
- Luxembourg said initial and annual reports will help bring the arms treaty out from the shadows.
- Denmark stressed it is important to work towards the highest possible degree of transparency in reporting.
- Iceland called for as much transparency in reporting as possible.
- Netherlands stressed that only more transparency will lead to increased trust.

Universality
- Many states highlighted the importance of universalization of adherence to the treaty.
- Acting High Representative for Disarmament Affairs, Mr. Kim Won-soo, provided an update on the status of ratification. Currently, 72 states have ratified the Treaty, 58 have signed it, and 63 UN member states remain outside of the Treaty.
- Denmark and Samoa highlighted the need for arms exporting states to sign, ratify, and implement the Treaty.

Implementation
- Acting High Representative for Disarmament Affairs, Mr. Kim Won-soo, highlighted the opportunity for coordination with the UN Programme of Action on small arms and light weapons.
- Many states stressed that the Treaty’s success will be measured against whether it will reduce armed violence and human suffering.
- Norway called for interpretations of provisions in the Treaty text that will best achieve the humanitarian goals of the Treaty.
- Finland, Portugal, Sweden, Liechtenstein, Iceland, Ireland, Uruguay highlighted the link of arms trade and gender-based violence captured in the Treaty.
- Togo highlighted the importance of assistance for effective implementation.
WHICH UN WILL WE SEE THIS WEEK?
Natalie Goldring

Walking across the plaza for the opening session of the first Conference of States Parties on the Arms Trade Treaty, participants were greeted by enormous banners proclaiming the conference. Inside were all of the trappings of a major international meeting—security officers with their ear pieces, screening devices, head sets for translation, video screens, enormous rows of tables and placards, and chairs for the overflow.

The first day began with a high-level segment at which foreign ministers and other senior government representatives presented their statements. As is often the case, this section of the meeting and the subsequent interventions consisted largely of diplomats reading prepared statements with thanks to the host and the chair of the preparatory process, summaries of country positions, and statements of support for particular secretariat locations. Although the chair tried to limit countries to the agreed three minutes maximum per statement, most countries took far longer. As a result, fourteen speakers were unable to speak and will have to present during Tuesday’s session. This further diminishes the time available for substantive debate during a conference that is already only scheduled to last for four days.

Anyone watching in person or on the live feed could be forgiven for thinking that this is the United Nations that is often criticized in the press—the talk shop with stylized exchanges, code words to express positions on particular issues, and little indication of innovation or creativity.

The risk is that this is the UN we will see for the remainder of the week. Signs that this is the case would include decisions taken in back room deals; negotiations that do not include civil society representatives; and decisions made using a consensus process that allow a single country to block progress.

But there’s another UN as well. This UN utilizes the experience of NGOs and fully engages them in its discussions, with open meetings and transparency in both substantive and procedural decisions. Although some aspects of this perspective are admittedly aspirational, this is not merely a vision of what the UN could be. These characteristics have been visible at different points in the Arms Trade Treaty process, and produced important language on gender-based violence and human rights and humanitarian law, among other issues.

Decisions made as early as today will give indications of which UN we will see this week. If the rules of procedure make it easy to close meetings to NGOs, this increases the risk that “business as usual” will dominate the process. If agreement is defined as consensus, with a single country being allowed to block progress, this will virtually ensure that the first perspective will be dominant.

Although many of the decisions to be made this week appear to be procedural, they have substantive underpinnings and are likely to have a significant effect on the prospects for full implementations of the Arms Trade Treaty. With one person dying because of armed violence every minute, we have no time to waste.

Dr. Natalie J. Goldring is a Senior Fellow in the Security Studies Program at Georgetown University. She represents the Acronym Institute (UK) at the UN on conventional weapons issues.
Cameroon is in conflict, challenged by the Nigerian terrorist group Boko Haram, which has so far kidnapped foreigners, women, and children, destroyed entire villages, and very often used girls as suicide bombers. The group has killed more than 900 people in a short time. One of the causes of this terror is the proliferation and illicit circulation of arms.

In June 2015, WILPF Cameroon launched the project of reducing and preventing gender-based violence through popularization of the Arms Trade Treaty (ATT) and UN Programme of Action on the illicit trade of small arms and light weapons (UNPoA) in Cameroon, and through encouraging the government to ratify the ATT. We intend to draw attention to the horrific effects of the illicit and irresponsible arms trade.

In the framework of the implementation of the project, we have discovered that numerous weapons and ammunitions are constantly seized. Cameroon, a country bordering Nigeria, has become in recent years a hub of international trafficking of weapons of war for the Nigerian Islamist armed group. For some time now, weapons have been discovered in many localities in Cameroon. The traffic goes on between Chad/Sudan and Nigeria via Cameroon, as there is no direct road between those countries. Some weapons are stored in Cameroon, awaiting their use by Boko Haram or for other purposes (assault, robbery, poaching, etc.).

Cameroon’s government has signed the ATT, but has not yet ratified or embarked on its implementation. Today, with the growing insecurity due to Boko Haram attacks and the Central African sociopolitical crisis that led to the influx of thousands of refugees, the circulation of small arms is an aggravating factor that often creates great fear among the population and poses a real security problem. Women and girls are paying a high price, both in refugee camps and within the host population. There is a high risk that these weapons are used to commit or facilitate acts of gender-based violence (GBV), including rape and other forms of sexual violence.

Last year, WILPF Cameroon carried out a study in the Eastern region of the country about the implementation of the UN Security Council resolution 1325. This study revealed, amongst other things, that 71.9% of participants in the study claimed to have suffered physical violence perpetrated by the use of arms. UN Women and the UN High Commissioner for Refugees reported that in the East and Adamawa regions, there were recent kidnappings of refugees by some Central African Republic militias. There are security concerns due to the activities of “coupeurs de routes” (armed thieves who attack road users). On 22 May 2015, three such thieves attacked a car of humanitarians, shooting them and wounding two women. Cases of GBV are reported on a daily basis, especially from women who are attacked and raped while walking long distances to look for firewood or fetch drinking water.

We have also noticed that a spirit of killing is taking over our children. As a result of the proliferation and use of weapons in society writ large, inside and outside of armed conflict, our children have integrated in their mentality the idea that the use of a weapon is a symbol of power, and killing has become fun. This cultural potency of weapons, together with their wide availability, is what will prevent peace, security, and development.

As an instrument for controlling the flow of arms of all kinds, the ATT should ultimately ensure the safety and protection of people, property, and the environment. In Cameroon today, the ATT is a serious alternative to the flood of weapons. It offers hope for preventing and reducing armed violence and changing the cultural significance of their possession and use. The first CSP is the right place to let states parties know how important this treaty could be, if they implement it with the strongest possible standards and curb the international arms trade to the fullest extent possible. We hope that at the end of the conference, Cameroon will find an additional reason to ratify the ATT. To do so, the importance of this treaty should be highlighted again, with particular interest in GBV prevention.
**ATT MONITOR**

**EVENT: ARMS TRANSFER CRITERIA: MAKING REAL THE PROMISE OF REDUCING THE HUMAN COST OF ARMS TRADE**  
Frank Slijper | PAX

The Mexican Ministry of Foreign Affairs and the International Committee of the Red Cross (ICRC) hosted this side event with the objective of examining a series of key challenges requiring action to ensure effective implementation of Articles 6, 7, and 11 of the Arms Trade Treaty (ATT) with the purpose of reducing human suffering. Speakers from Germany, South Africa, Mexico, and the ICRC discussed relevant practices for meeting the Treaty’s humanitarian objectives, with special consideration given to arms export control systems and arms transfer criteria.

The session was moderated by Jessica Hand, head of the Arms Export Policy Department in the UK. On the panel were Ambassador Juan Manuel Gómez Robledo, Deputy Foreign Minister (Mexico); Kathleen Lawand, Head of the Arms Unit of the ICRC; S. Dumisani Dladla, Chief Director of Conventional Arms Control at the Department of Defence in South Africa; and Bernhard Schlagheck, director of Export Control at the Foreign Ministry (Germany).

In their presentations all four speakers stressed the importance of a rigorous assessment for export licence applications.

Kathleen Lawand explained how under article 6(3), international law aspects of arms transfers are set out with an absolute prohibition of transfers when there is knowledge of the potential of them being used in genocide, crimes against humanity, and grave breaches of the Geneva Conventions of 1949. Furthermore states are obliged under article 7 to assess whether transfers, among others, would undermine peace and security, or could be used to commit or facilitate serious violations of international humanitarian law or international human rights law. If there are “overriding risks” of negative consequences, states should not grant an export licence, with overriding risk interpreted by many states as a substantial or clear risk.

The South African speaker outlined how South Africa’s export control system works as an “open,” “accountable” export control system, for “responsible” trade. He stressed the promotion of certainty, predictability, and objectivity as key values. Nevertheless it is not always easy to balance the interests of control on the one hand and the other interests such as of the industry and general economic interests.

Germany, a major arms exporter, argued that its export control system is fully compliant with the ATT, with scrutiny of licence applications by a specialized German agency, and with all relevant political actors included. A restrictive policy is leading, only after careful consideration, including the eight EU criteria, are licences agreed. Denials of similar applications by other countries have a decisive importance.

**EVENT: PRESENTATION OF SAFERGLOBE REPORT - NORDIC ARMS TRANSFERS CONTROLS AND THE ARMS TRADE TREATY: STRENGTHS AND CHALLENGES**  
Tor Kristian Birkeland | Norwegian Ecumenical Peace Platform

At this event moderated by Ambassador Paul Beijer of Sweden, Samuli Virtanen, State Secretary of Finland, spoke briefly about the strong Nordic cooperation, not least within security issues. He praised the report by Elli Kytömaa, a researcher with SaferGlobe, who then presented the main points of her report, including that Nordic countries have expanded into new markets, both geographically and with reference to technology. This is because of reduced defense budgets in the countries that have been the main buyers. She spoke of the Nordic culture of transparency, with frequent domestic and international reporting. Challenges mentioned were lack of control on re-export and end-use, and tension between human rights and democracy considerations on one hand and the desire to find new markets on the other.

E.E. Emohe, Ambassador of Nigeria and chair of Nigeria’s national commission on small arms and light weapons (SALW), spoke on ATT implementation in Nigeria. Nigerian laws on the arms trade are very weak and Nigeria is currently looking at how to improve them. The wide availability of SALW is particularly a problem. There is a memorandum of understanding in place with researchers in Geneva to map SALW in Nigeria. The Nigerian government intends to upgrade capacities of those agencies that have something to do with SALW and ATT implementation, and to mark government-owned weapons to limit the loss of weapons from state actors to non-state actors.

The presentations were followed by questions and answers, including on end-use, cultural differences in reporting and transparency, brokering, and cooperation between Nordic and African states on arms regulation.
The first Conference of States Parties (CSP) of the Arms Trade Treaty (ATT) opened in Cancún, Mexico today and was marked by ambitious and strong statements of commitment from the 125+ States in attendance. The opening session featured video messages from UN Secretary-General Ban Ki-moon and Peter Maurer, President of the International Committee of the Red Cross, as well as remarks from Nobel Peace Prize laureate Oscar Arias Sanchez, Roberto Borge Angulo, Governor of Quintana Roo, and Kim Won-soo, the Under-Secretary-General and Acting High Representative of Disarmament Affairs. Control Arms was represented by survivor and disability rights advocate Alex Gálvez, who appealed to governments to “make history again” by putting the words of the Treaty into action.

Foreign ministers of nine countries (Costa Rica, Luxembourg, Serbia, Switzerland, Trinidad and Tobago, Yemen, Saint Lucia, Jamaica, and Finland) contributed to the highlevel session. Their statements reflected common themes of commitment to implementation and universalization, the Treaty’s potential to save lives, and the need for multi-stakeholder approaches in bringing transparency to the arms trade.

Parallel consultations took place on the draft rules of procedure, which are expected to be adopted on Tuesday. Most elements of the draft rules have already been agreed and the discussion on Monday was largely technical. A few outstanding areas of debate include defining which meetings are public and which are private, per draft rule 13; intersessional decision-making (draft rule 41); and refining what constitutes a subsidiary body (draft rule 42). It seems that most issues have been resolved and that the document should be adopted at the start of Tuesday’s plenary session.

The highlevel segment was followed by opening remarks from around 50 delegations, with a few left who will speak tomorrow. Almost all delegations paid tribute to the positive role of civil society in supporting ATT implementation and universalisation. Several delegations used the opportunity to reiterate their positions on the issues relating to the ATT Secretariat, rules of procedure, financial rules, and reporting. Some including Thailand, Malaysia, Singapore, New Zealand, Nigeria, Iceland, Guyana, and the Bahamas provided updates on progress towards ratification or steps taken to begin implementing the Treaty. Countries from CARICOM, Central and South America, and West Africa outlined how specific regional security concerns could be addressed by the ATT. Sweden and several others noted the connection between the arms trade and gender-based violence. Implementation support, both technical and financial, came across from states of many regions, including Togo and El Salvador.

Control Arms has been advocating messages of transparency and the importance of robust, life-saving implementation of the Treaty. This was highlighted through a media action organized by the Control Arms Coalition that unveiled a tank sculpted from sand accompanied by the message to save lives and stop dodgy arms deals. Positively, both themes surfaced repeatedly during opening statements, although it remains to be seen if the decisions made in the coming days will put these good intentions into practice. Thematic discussions on rules of procedure, financing, ATT Secretariat, and reporting will be taken up on Tuesday, following the conclusion of opening statements. It is encouraging to see that some non-signatory countries are observing the Conference, including China, Fiji, and Oman.

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<td>13:00-14:00</td>
<td>ATT: Human Rights and Arms Transfers Control</td>
<td>Room 1</td>
<td>Arias Foundation and others</td>
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<td>13:00-14:00</td>
<td>Applying the Arms Trade Treaty for the protection of international security and human rights</td>
<td>Room 2</td>
<td>Amnesty International</td>
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<td>14:00-15:00</td>
<td>UNIDIR project, “Examining Options to Enhance Cooperation and Strengthen End Use/r Control Systems”</td>
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<td>United Nations Institute for Disarmament (UNIDIR)</td>
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<td>18:30-19:30</td>
<td>Book Launch “Weapons and International Law: The Arms Trade Treaty” &amp; Reception</td>
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It was nearly two hours before a woman took the floor at the first Conference of States Parties (CSP1) of the Arms Trade Treaty (ATT). The opening session was a man panel. The high-level attention to the Treaty and the Conference is welcome, but the lack of gender diversity is extremely disappointing, not least because of the landmark provisions on gender in the Treaty itself.

The ATT is the first international agreement that recognises and confronts the link between gender-based violence (GBV) and the arms trade. The legally-binding requirement to include the risk of GBV in export assessment processes was supported by over 100 states during treaty negotiations. Several delegations speaking during the opening day of CSP1 highlighted the importance of this provision and/or the challenges of GBV or violence against women, including those of Finland, Iceland, Ireland, Liechtenstein, Luxembourg, Portugal, Sweden, and Uruguay.

It is important to have the GBV criterion in this treaty, as this form of violence is often overlooked because it disproportionately affects women, who are in a disadvantaged position compared to men when it comes to highlighting and confronting human rights abuses. Including this provision in the treaty underlines the need for prevention of GBV explicitly and makes its exclusion from risk assessments more difficult. It further highlights that arms trade, possession, and use have specific gender and power dimensions that need to be further examined and addressed.

These power dimensions are reflected of course not just in acts of physical violence but also about structures of power and access to it. These structures were on display at CSP1 itself, with the lack of gender diversity noted above. This in itself, of course, is reflective of the lack of non-males in high-level positions. And these structures are reflected in the fact that only one woman has been nominated as the head of the provisional ATT secretariat.

Thankfully, a few delegations highlighted the importance of gender diversity in the secretariat, such as Belize, El Salvador, and Guyana.

The importance of the participation of women in disarmament, arms control, peace, and security discussions and negotiations has been repeatedly emphasised, such as in UN Security Council resolution 1325 (2000) on women, peace, and security; UNSC resolutions 2117 (2013) and 2220 (2015) on small arms; and UN General Assembly resolution 69/61 (2014) on women, disarmament, non-proliferation, and arms control. Gender diversity in disarmament and arms control is crucial. Without it, we perpetuate the power of men over women and others in designing responses to crises overwhelmingly created and carried out by men. We also perpetuate the notion of men as protectors and problem solvers and women as passive victims. In a cycle of political and social violence, this further enables exclusion of women and others from authoritative roles across the spectrum, which weakens the effectiveness of processes and initiatives. It can also perpetuate conceptions of men as inherently violent and expendable in conflict, which has serious implications for war and in culture.

From panels of experts to participation in peace talks or treaty negotiations, the voices of women and others must be heard. Civil society has responded to this problem by compiling non-male experts for topics; promoting gender diversity in panels and initiatives (e.g. see www.manpanels.org); and refusing to accept framings of women as only victims. We contend that women’s rights, and the rights of those with other gender and sexual identities, are equal to men’s. This means that women deserve equal recognition when it comes to victim and survivor rights and to participation.

For more information about gender and the ATT, see Reaching Critical Will’s latest publication at www.reachingcriticalwill.org.