
Arms Trade Treaty

Control Arms

Background

The Arms Trade Treaty (ATT) was created to stop irresponsible and unregulated arms transfers fueling conflicts, poverty and human rights abuses across regions. Effective implementation, universalisation, and timely, public, and comprehensive reporting are crucial to achieving the Treaty's main goal of reducing human suffering.

Ninety-seven states, just over half of the UN membership, are now party to the ATT while 38 are signatories. Five states joined the ATT in the past year: Kazakhstan and the State of Palestine acceded in December 2017, while Chile, Cameroon, and Brazil ratified in 2018.

Almost four years since the Treaty's entry-into-force, discussions around its implementation are slowly shifting from process to substance, particularly as they relate to diversion. However, significant challenges remain unaddressed. Arms transfers furthering conflicts and armed violence across regions have continued unabated. The devastating attack on the Yemeni port of Hodeidah in June and the strike on a school bus in August 2018 add to the mounting evidence of serious breaches of international humanitarian law and human rights law. Yet impassive silence surrounds the issue of problematic arms transfers and states parties' full compliance with the Treaty's provisions.

Current context

In 2018, two sets of informal preparatory meetings and working group meetings convened before the Fourth Conference of States Parties (CSP4). The Working Group on Effective Treaty Implementation appointed facilitators to lead discussions on three priority sub-topics: general implementation, prohibitions and risk assessment, and diversion. These discussions highlighted that states parties are at different baselines regarding their engagement within the arms trade, as well as at different stages in developing necessary structures and mandates to implement these obligations.

States parties in the Group were less forthcoming in sharing their concrete experiences or discussing challenges to the implementation of Articles 6 and 7, focusing instead on the development of guidance documents. Norway, Finland, Germany, and the Walloon regional authority of Belgium took positive steps this year, announcing tightened controls on arms transfers in the context of the conflict in Yemen. But other states parties—particularly the United Kingdom and France—are still in direct violation of legally binding Treaty obligations by continuing to supply arms to the Saudi-led coalition.

Public, comprehensive, and timely reporting on exports and imports by states parties

can increase accountability and confidence-building. The Working Group on Transparency and Reporting proposed solutions to reporting challenges, including guidance documents; developing a roster of reporting experts; and creating an IT platform for information exchange. Similarly, the Working Group on Treaty Universalisation outlined recommendations for advancing Treaty membership, including through engagement with parliamentarians, utilising regional events, and targeting specific regions.

CSP4, held 20–24 August 2018 in Tokyo, Japan, offered more substantive discussions on the Treaty's implementation compared to previous years. However, states parties missed another key opportunity to discuss problematic arms transfers and violations of the Treaty, focusing instead on developing a clear programme of work for the upcoming year.

Both states and civil society expressed concern over worrying trends in compliance with ATT reporting obligations. For example, as of 31 May 2018, only 67 of 92 Initial Reports due to be submitted were received (73 percent), and 11 were kept confidential, and only 36 of 89 Annual Reports were submitted by the deadline. Two states have kept their annual reports private.

Ambassador Jānis Kārklīns of Latvia was appointed as the President of Fifth Conference of States Parties, which will be held in Geneva from 26–30 August 2019.

Latvia is expected to introduce a resolution on the ATT during this First Committee. The annual resolutions tend to welcome the Treaty, encourage universalisation, and sometimes endorse decisions taken at CSPs. The ATT

is often referenced in other resolutions pertaining to small arms and light weapons, and regional disarmament measures.

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;
- Contribute to 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:

- Highlight and challenge arms transfers appearing to be in violation of the Treaty;
- Adopt the highest norms and establish rigorous structures to ensure effective implementation and compliance with the ATT;
- Robustly implement ATT obligations that seek to address diversion;
- Commit to timely, comprehensive, and public reporting;
- Engage in the ATT process by actively participating in the Working Groups and preparatory meetings as well as in the CSPs; and
- Share best practices and provide implementation support, through information exchange and resources.

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