



ATT MONITOR

Civil society perspectives on the
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to the Arms Trade Treaty
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Reaching Critical Will

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IN THIS ISSUE

- 1 | Sliding into norm erosion
- 2 | News in brief

SLIDING INTO NORM EROSION

Allison Pytlak | *Reaching Critical Will of Women's International League for Peace and Freedom*

At the start of the Third Conference of States Parties (CSP3) our editorial stressed that the credibility and life-saving potential of the Arms Trade Treaty (ATT) is eroding rapidly as a result of the unwillingness of states parties to acknowledge the impact of certain arms transfers. This is a failure of both those who are conducting transfers that violate the Treaty's provisions, as well as those who fail to call them to account. We, and the majority of civil society groups at CSP3, appealed repeatedly to states to use this conference as a space to consider the impact of such transfers in the cities and countries around the world that are being destroyed by bombs and bullets.

These calls were blatantly and unapologetically ignored. Over the course of the five days, references to the real world were scarce. We noted in the Thursday edition that only Costa Rica acknowledged the conflict in Yemen; only Chile said it shares the concerns of civil society regarding possible failures to implement articles 6 and 7 of the Treaty and transfers of weapons to zones of conflict; and only 12 states called for cessation of arms transfers to one country, Venezuela, due to current levels of state repression and human rights abuse. The Philippines took issue with Amnesty International's criticism of arms transfers there by accusing the organisation of politicising the conference.

The final day of the CSP was no different. As a lot of time was given to procedural and structural matters, such as the establishment of a presidency troika, Twitter lit up with ironic but sad reminders to conference delegates that firearms kill 20 people every hour. By this estimate, 800 were killed across the working hours of CSP3—and that's only from firearms.

Once again, the real world impact of arms transfers being made by ATT states parties and signatories was swept under the carpet. More vigour was shown toward discussing budgets and meeting locations than about stopping transfers that kill people.

The final day unexpectedly saw a protected discussion break out at the last minute—but this was around what are ultimately issues of transparency and access. Mexico had noticed an amendment to the terms of reference for the working group on implementation that had not been thoroughly discussed, and also pointed out that amendments to documents were not made identifiable through tracked changes or other methods. The amendment, suggested by New Zealand, would have required states requesting to close a meeting provide an explanation about why they are doing so, and to submit that request with four weeks of notice—an improvement on the existing terms, and helpful for access and openness particularly to civil society. While Mexico was likely not in disagreement with the nature of this amendment, in principle, by questioning when, and how, this had been added it highlighted a point of process. Retaining the openness of working groups is an essential part of overall treaty transparency, as is safeguarding decision-making processes.

While we welcome the amendment suggested by New Zealand, and hope that it can be incorporated in the terms of reference of the working groups soon, we also think that the substance of arms transfers deserves at least as much attention as these issues of process and access.

We speak a lot in disarmament and arms control circles about the evolution of norms that will ultimately change behaviour. This is often identified as one of the benefits of agreements such as the ATT. In order for that to happen, implementation must be rigorous and without exception, particularly in a treaty's infancy. Doing so provides credibility and consistency—the building blocks of normative change. In the case of the ATT, unless something changes radically, and soon, its aspirational norms will erode rather than evolve. •

The *ATT Monitor* is produced by the Reaching Critical Will programme of the Women's International League for Peace and Freedom (WILPF) daily during all ATT meetings.

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The views expressed in this publication are not necessarily those of WILPF or Reaching Critical Will.

NEWS IN BRIEF

Ray Acheson | *Reaching Critical Will of Women's International League for Peace and Freedom (WILPF)*

The news in brief is not a comprehensive report on all statements but provides brief highlights on a range of themes and positions.

Matters pertaining to the Secretariat

Management committee and budget

- Czech Republic, a member of the ATT management committee, gave an overview of the committee's work and recommendations for leftover funds. The committee recommended to CSP3 that it use uncommitted funds for IT costs of the ATT Secretariat and roll-over the balance to the next financial period and reduce the states' financial contribution for the next period.
- Sweden supported using the funds for IT, though wanted to hear more from the management committee about this. Sweden also suggested using leftover funds to reimburse those states that have actually contributed to the funds. It thought that establishing a financial buffer is worthwhile but more needs to be done in terms of what this fund is designed to do.
- Mr. Dumisani Dladla, Head of the ATT Secretariat, said the budget has been prepared and submitted to the conference in compliance with mandate, including by sending estimates to states parties 90 days in advance. Historical information about expenditure can be reflected upon as the Secretariat prepares for the future. He said that only 50% of states parties have paid their obligatory financial contributions.
- European Union said it is important to identify possible savings to avoid financial difficulties in the future, noting that transparency will also help with future planning and in this it support ongoing work of management committee to improve the record of financial contributions by states parties.
- European Union, Mexico, and Switzerland expressed concern about non-payment of contributions.
- Mexico and Switzerland raised concerns about running into liquidity issues, using the example of the Convention on Conventional Weapons (CCW). Mexico explained that the CCW is experiencing a serious crisis that has resulted in the cancellation or reduction in meetings and services, which mean it hasn't been able to fulfill its work plan.
- Mexico argued that the ATT has a strong financial and intuitional architecture that must be made even stronger. It suggested that the ATT establish a working capital reserve fund to use in case of unforeseen circumstances.
- Costa Rica, Panama, Switzerland, and Uruguay welcomed this suggestion.
- Panama suggested as it's difficult to reach consensus on a proposal raised now, the CSP4 president and management bureau could be tasked with holding consultations to reach an agreement later. Uruguay supported this proposal.
- Switzerland and UK said that a working capital reserve should not compensate for non-payment of dues.
- Netherlands and UK expressed wariness about this proposal, though acknowledged the liquidity issue could be a problem later. UK wanted more information on what the impact would be on states that have paid their contributions.
- Netherlands suggested closing the accounts later in the year, as is common practice with the UN regular budget.
- Costa Rica suggested that delayed contributions are likely the result of internal budgetary challenges and that payments will be made eventually. It said it is important to have time during the intersessional period for states parties to discuss these matters directly with the management committee.
- Sweden noted that the financial rules set out penalties for those not paying after two years, which applies to 30 countries at this meeting.
- When asked why there are unspent funds, the ATT Secretariat clarified that last year the full staff team was not yet hired and the budget estimates were not quite correct.
- CSP3 elected the new management committee for the next two years: Côte d'Ivoire, Cyprus, Czech Republic, Panama, and Netherlands/Sweden (which will serve one year each).

Final report

The editorial provides a general overview of the debate held Friday afternoon and evening regarding the final report. We have chosen not to provide a full account of that debate here. The topic of the debate—the decision about when working group meetings could be requested to be closed—is important. However, given that ATT states parties did not spend any time during the week discussing issues related to the actual implementation of the Treaty, in particular violations and solutions to those violations, we are refraining from detailed reporting about back-and-forth of this procedural discussion. •