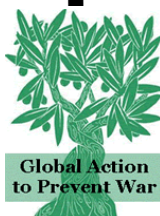


# ARMS TRADE TREATY MONITOR

*Civil society perspectives on the Arms Trade Treaty negotiation process*

**6 July 2012**  
**Vol. 5, No. 3**

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## Editorial: Underneath it all

Ray Acheson | *Reaching Critical Will of WILPF*

Thursday marked the first full day of work at the conference to negotiate an arms trade treaty (ATT). Among dozens of statements by delegations, the conference also attempted to reach agreement on its programme of work for the next week. Both the substantive and procedural debates revealed that some governments have interests other than humanitarian imperatives guiding their positions and behaviour at this conference.

In terms of procedure, while most delegates were eager to start negotiations, a few expressed concern with the structure of meetings proposed by the Chair. By the end of the day, the Chair was able to gavel a decision on Friday's schedule, despite some remaining skepticism by a few delegations. These countries, most vocally Cuba, India, and Syria, expressed concern with the scheduling of parallel meetings and with what kind of access civil society might have to each of component. Other delegations expressed frustration with this further delay in commencing work, arguing that it does not matter how the treaty is negotiated but rather what is negotiated. However, the hold-ups over procedure suggest that the states questioning the methods of work remain skeptical about the negotiation of any ATT; indeed, throughout the entire ATT process they have expressed concern that the treaty might limit their ability to import arms.

Thus, regardless of how the conference operates, the key question remains: what exactly will the ATT look like? Will it have the necessary content and mechanisms to address the devastating humanitarian consequences of the unregulated arms trade, as the majority of countries want? Or will it be so “simple, short, and easy to implement” as demanded by the five permanent members of the UN Security Council—which are also among the world's biggest arms exporters—that it will not make a dent in the inconceivable volume of deaths, rapes, injuries, displacements, poverty, and crime seen around the world every day? Will it prevent weapons from being used to violate international humanitarian or human rights law, or will it provide cover for dubious arms transfers

due to loopholes and interpretations?

While the majority of countries have reiterated their commitment to negotiating a robust treaty that has humanitarian imperatives at its core, there are still those that, like France, seek a treaty that will further legitimize the arms trade, or, like the Arab Group, seek a treaty that will facilitate the sale of weapons to developing nations.

But the ATT cannot be, must not be, about legitimizing or facilitating the arms trade. It can, and must, be about reducing human suffering. It can, and must, put human security above profit margins.

As the Mexican delegation noted, “It is difficult to understand that in a world where regulations exist for commerce in every type of goods, including basic goods, we still do not have a regulatory framework for those products that have been designed and manufactured with the specific purpose of inflicting harm.” Dr. Glowinski argued, “We control cereals and dairy products, but we do not accept responsibility for the sale of conventional weapons, their parts and ammunition. This situation is unsustainable. This reality is ethically flawed.”

Deaths. Rape. Injury. Displacement. Poverty. Crime. These are the realities that negotiators here in New York must keep at the forefront of their minds as they work to overcome the political and economic interests suggesting other priorities. •



## Addressing loopholes in “assessing”

Katherine Prizeman | *Global Action to Prevent War*

As noted by the delegate of New Zealand on Thursday morning, success for the arms trade treaty (ATT) means the adoption of standards “high enough for it to be realistic to expect the treaty to contribute *meaningfully* to global peace, security, and stability” (emphasis added). Ambassador Dell Higgin noted that in setting an obligation for states to conduct a “risk assessment” before authorizing any export of arms, the ATT must codify circumstances when states should decline arms transfers. These circumstances include situations where arms are likely to provoke or exacerbate regional conflict, contribute to economic or social destabilization, or be used by criminal elements or terrorists. Codifying circumstances that would require the denial of arms transfers, in addition those already required under international law such as arms embargoes, is essential such that the legal framework provided for in the ATT will have a meaningful, measurable impact on international peace and security.

The idea that an ATT’s success depends on how it “meaningfully” contributes to global peace and security is a critical one. Regulating the arms trade through a written list of items to ‘bear in mind’ when conducting arms transfers is not enough—it is essential that the ATT does more than *improve* the regulation of the international trade in conventional, but that it also reduces and prevents diversion of arms into the illicit market and prevents irresponsible transfers that contribute to armed conflict and violations of human rights and international humanitarian law. This was noted by the delegation of Costa Rica, which explicitly underscored the importance of the ATT as more than a tool to be used to facilitate procedural authorizations of arms transfers.

As evidenced by the statements from the delegations of Nicaragua and Malaysia, there are some states that are skeptical of, if not opposed to, an ATT that goes beyond general norm- and standard-setting and attempts to control the trade in conventional weapons by codifying criteria that are, in their view, “immeasurable and broad in nature”. During his opening address as President of the Conference, Ambassador Moritán made clear that there is a stark difference between regulation and control, noting that the ATT seeks the former and not the latter. While it is true that implementation of the ATT will be dependent on national authorities and their “assessment” of any respective transfer, overcompensating for fears of states needing to cede their control over the arms trade by weakening the language around the treaty’s criteria can impede the ATT’s ability to contribute meaningfully to global peace and stability.

The most recent Chair’s paper issued on 3 July demonstrates the need to close loopholes in “state assessment” of transfers, which will determine how successful the ATT ultimately will be. The paper notes, “Where substantial risks exist, there shall be an overriding presumption against authorization.” This is substantially weaker than the previous version of the Chair’s paper from July 2011 that notes, “States shall not” authorize transfers when such risks exist. It is also unclear precisely what “presumption” refers to, leaving room for various interpretations and a further lack of clarity in setting the terms to regulate the international trade in conventional arms.

Therefore, navigating the line between states parties’ right to assess transfers and some external mechanism associated with “control” has become a major concern for delegations. While the challenge of verification and

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**All views expressed in this publication are solely those of the contributing authors and do not necessarily reflect the positions of the supporting organizations.**

oversight continues to be divisive, it is essential that some level of accountability exists beyond requiring states to conduct entirely private “assessments”. As noted by the delegation of Malaysia, confidence-building measures (CBMs) provide for verification and assessment through record-keeping, transparency, and reporting, although these are not the only tools available. The representative of CARICOM called for an ambitious proposal for an Implementation Support Unit (ISU) with “some measure of scrutiny by an independent body founded in the agreement and funded by States Parties.” Endowing an ISU with the ability to receive and verify reports from states parties on the implementation of their treaty obligations would contribute greatly to strengthening the treaty. Including provisions and mechanisms that would strengthen the ability of states to carry out sound and consistent assessments based on verifiable information is an essential step in this strengthening.

While states will maintain the right to exercise authority over the decisions of whether a transfer may or

may not be denied, some additional level of verification must be included, most especially since the methods for conducting assessments are neither clear nor uniformly defined. As noted by the Brazilian representative, national efforts are not enough to address some of the problems that are essentially of a transnational nature. Therefore, buttressing the treaty such that “state assessment” is reinforced by solid verification and accountability measures is imperative. The fear of discriminatory interpretations and politically-motivated manipulation of the ATT’s criteria is valid, but is not insurmountable. Such fear should not deter states from strengthening the treaty’s language beyond “state assessment” and “presumption against authorization”. Whether a document outlining general norms and objectives for carrying out arms transfers would have any effect on international peace and security is unclear, but states must go further in pushing for an ATT that has sufficient structural capacity to provide for verification of national transfers and oversight of treaty implementation. •

## RESOURCES FROM CIVIL SOCIETY

**ATT MONITOR** is a source of independent civil society journalism. It seeks to serve as a hub of information, analysis, reporting, testimonies, art, puzzles, and more during the negotiations. You can subscribe to receive it daily by email at [www.reachingcriticalwill.org](http://www.reachingcriticalwill.org).

**ATT MONITOR: THE BLOG** is an online space of the ATT Monitor at [attmonitor.blogspot.com](http://attmonitor.blogspot.com).

**REACHINGCRITICALWILL.ORG** provides statements, documents, and other primary resources from the negotiating conference and all of the ATT preparatory committees, along with background information, action toolkits, and links to civil society resources and materials.

**ARMSTREATY.ORG** is an online database for tracking government positions on all ATT issues, developed by Reaching Critical Will/WILPF and the Control Arms Campaign.

**IANSA.ORG** has ATT campaign news from activists around the world and daily updates from the conference.

**CONTROLARMS.ORG** has position papers, information, and ATT petitions in four languages.

**CONTROL ARMS BLOG** at [controlarmsblog.posterous.com](http://controlarmsblog.posterous.com) has ATT campaign news.

## What are the links between gender and the arms trade

*IANSA Women's Network, WILPF, Amnesty International, and Religions for Peace*

**“A guy with a machete in a village can rape one woman. Two guys with a machine gun can rape the whole village.”** - Annie Matundu Mbambi, Democratic Republic of Congo

“What does gender have to do with the Arms Trade Treaty?” is a question we often hear. The following extracts of the *Joint Policy Paper on Gender and the Arms Trade Treaty* by Amnesty International, the Women's International League for Peace and Freedom (WILPF), IANSA Women's Network, and Religions for Peace can provide answers to this question.

The arms trade affects everyone—men, women, boys and girls—in different ways. There is a gender dimension to the trade whereby women are disproportionately affected by armed gender-based violence, both in times of conflict and peace. Emboldened by weapons, power and status, both State and non-State parties often perpetrate gender-based violence with impunity. This has far-reaching implications for efforts to consolidate peace, security, gender equality, and secure development.

For example, sexual violence is often widely and systematically employed against civilians during armed conflict, though the scale on which it occurs is largely underestimated<sup>1</sup> and its links to the proliferation of arms is rarely examined. Margot Wallström, UN Special Representative on Sexual Violence in Conflict, made this point in her official Statement to the UN Security Council, “conflict-related sexual violence is not specific to one country or continent: it is a global risk” (February 2012). In Côte d'Ivoire for example, gender-

based violence against women, perpetrated by diverse actors including state security forces and armed opposition groups, has been greatly intensified by the proliferation of small arms imports into the country. Prior to the belated UN arms embargo, several Eastern European countries supplied large consignments of arms to the Government of Côte d'Ivoire, notwithstanding its forces' involvement in serious human rights violations. Moreover, small arms continue to circulate in the country and international arms brokers and traffickers threaten further deliveries of small arms and larger conventional weapons.<sup>2</sup>

In some states, women are disproportionately affected by high levels of firearms-related homicides and domestic violence. Research carried out in Guatemala by the Human Rights Ombudsman's Office shows that for all murder cases, 69 per cent of women are killed with firearms. The lack of investigation into murders and the low rate of convictions have contributed to a culture of impunity for such crimes. Violence against women is especially widespread in Guatemala: in 2010, according to police, at least 695 women were murdered, bringing the total number of women killed since 2004 to at least 4,400. Many of the bodies of those killed showed signs of sexual violence and other forms of torture.<sup>3</sup> The lack of police response to cases of missing women raises questions about state acceptance given the high murder rate of women and the dismal conviction rate.

In spite of the high levels of small arms circulating nationally, Guatemala continues to import large numbers of small arms and ammunition, typically pistols

### comments so far on gender-based armed violence at this conference

**Australia** The presence of illegal arms in communities starts and prolongs conflict. Women and children are all too frequently and disproportionately affected.

**Finland** There is indeed a gender dimension to the trade whereby women are disproportionately affected by armed gender-based violence. Therefore, there should be strong references to gender in the treaty text and the criteria in the treaty should address risks of gender-based armed violence.

**Liechtenstein** [Civilians] suffer directly from the effects of unregulated trade in conventional arms, leading to the exacerbation of conflicts and serious violations of human rights, including gender-based violence.

**Lithuania** Lithuania would also support norms that would prevent transfers, which are likely to be used to perpetrate acts of gender-based and sexual violence.

**Norway** I would like to emphasize SC resolution 1325, and the use of armed violence against women. As a former elected spokesman in the Norwegian Armed Forces, I remember rallying in solidarity with women being systematically raped during the wars on Balkan. Here too, we consider the chair's draft paper and its language to be a good basis for the discussions. This gender perspective should be reflected in the text.



and revolvers.<sup>4</sup> The Czech Republic, the Republic of Korea, Argentina, Slovakia and Germany exported a total of US\$3,716,666 worth of pistols and revolvers to Guatemala between 2004 and 2006.<sup>5</sup> These small arms transfers from several foreign countries exacerbate a pervasive pattern of violent crime and gender-based violence in a country with existing high levels of small arms availability. The failure of the Government of Guatemala to exercise due diligence when small arms are being so widely misused by private persons and illegal armed criminal groups, presents a substantial risk that future small arms transfers are likely to exacerbate violent crime and gender-based violence in Guatemala.<sup>6</sup>

To be consistent with the broader UN practice of mainstreaming gender by paying attention to differing impacts on women and men in all frameworks, policies and programmes, the ATT should recognise the specific impact of irresponsible international arms transfers on women and their rights. Member States and the UN have progressively recognised and addressed the distinct rights of women in their work. Specifically relating to peace and security initiatives, Member States have called for the inclusion of women's rights and the participation of women in these processes. The Women, Peace and Security agenda in the UN Security Council includes commitments calling for women's rights and engagement to be systematically addressed and enhanced in conflict prevention, conflict resolution and peace building. The General Assembly, has on numerous occasions expressed its concerns about the pervasiveness of violence against women in all its different forms and manifestations worldwide, noting that such violence seriously impairs or denies women's ability to

exercise their fundamental human rights and freedoms. In the ATT, member states must build on their human rights and protection commitments and include specific criteria on gender-based violence. •

#### Notes

1. See for example, Côte D'Ivoire Briefing to the UN Committee On The Elimination Of Discrimination Against Women 50th Session October 2011, Index: AFR 31/009/2011.
2. See for example a case study on Cote d'Ivoire in Amnesty International, *Blood at the Crossroads: Making the Case for an Arms Trade Treaty*, 17 September 2008 (ACT: 30/011/2008).
3. See Amnesty International, *Guatemala: No protection, no justice: killings of women* (an update), 18 July 2006, AI Index: AMR 34/019/2006, and Amnesty International, *Guatemala: No protection, no justice: killings of women*, 9 June 2005, AI Index: AMR 34/017/2005 and also other organisations: Concluding comments of CEDAW: Guatemala, 2 June 2006, CEDAW/C/GUA/CO/6; Report of the Special Rapporteur on Violence against women, its causes and consequences, Mission to Guatemala, 10 February 2005, E/CN.4/2005/72/Add.3.
4. Compared with other countries in Central America, Guatemala imports the largest value of arms under the UN category of 'pistols and revolvers' 89114. Guatemala imports \$4,295,161 under this category; Nicaragua \$1, 919,774; and El Salvador \$1,537,718 for example. The table only shows the top five exporters to Guatemala.
5. Based on the total value of exports to Guatemala using SITEC Rev 3 Code of UN Comtrade Database where entries have been reported by the exporter under code 89114 'Pistols and Revolvers' (other than those of heading 891.31). It is worth noting that \$104,272 worth of pistols and revolvers in 2006 were supplied to Guatemala through Honduras without them being imported into Honduras. Honduras has no small arms manufacturing base (Omega Research Foundation database).
6. See Amnesty International, *Blood at the Crossroads: Making the case for a global Arms Trade Treaty*, 17 September 2008, AI Index: ACT 30/011/2008.

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ACCOUNTABILITY  
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EQUALITY  
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NONPARTISAN  
OSCARARIAS  
WAR

**News in Brief***Ray Acheson | Reaching Critical Will of WILPF*

The News in Brief is not meant to serve as a comprehensive summary, but is rather a brief overview of new, noteworthy, or elaborated positions or ideas on key aspects of the ATT. For a comprehensive map of government positions, see [armstreathy.org](http://armstreathy.org).

*Preamble*

- Most delegations called for the treaty to recognize the devastating effects of the unregulated arms trade, especially armed conflict, violence, crime, and poverty.
- Estonia called for the treaty to recognize that unregulated arms trade contributes to human trafficking.
- Finland, Liechtenstein, and Lithuania called for recognition of the gendered impact of the arms trade such as gender-based armed violence.

*Goals and objectives*

- The vast majority of delegations called for humanitarian principles to be at the core of any future ATT.
- Brazil argued the ATT should not curb the licit trade in conventional arms.
- Costa Rica emphasized that the treaty should not be used to facilitate the arms trade.
- Egypt called for the treaty to “address the current imbalance by safeguarding the rights of arms importing developing countries, and by ensuring that the major arms exporters are accountable in this regard.”
- Egypt also called for monitoring over and significant reductions in the production, possession, and trade of conventional weapons by industrialized states, arguing that over-production and increasing stockpiles of conventional weapons within major arms exporters and producers “can easily contradict the spirit and purpose” of an ATT.
- France argued that the ATT will bolster the legitimacy of the arms trade.
- South Africa said the ATT must make a meaningful difference to the arms trade and any result that merely mirrors the UN Register of Conventional Arms would constitute failure.
- South Africa argued that the treaty should not only aim to prevent the illicit arms trade but should regulate all arms transfers, military and commercial.

*Criteria*

- Most delegations called for criteria against transfers when the arms are likely to be used to violate international humanitarian law (IHL) or international human rights law.
- Cuba called for the criteria include a prohibition of transfer to states that use or threaten to use force in contravention of the UN Charter.
- Egypt and the Arab Group called for the ATT to prohibit transfers to states involved in foreign occupations.

- Finland and Lithuania called for the treaty to prevent arms transfers that are likely to be used to perpetrate acts of gender-based and sexual violence.
- Liechtenstein called for prohibition of the transfer of arms to individuals indicted by the International Criminal Court.

*Scope: weapons*

- Most delegations demanded a comprehensive scope covering all types of conventional arms, SALW, ammunition, parts, components, and technology.
- Bahamas, Chile, Colombia, El Salvador, Guatemala, Jamaica, Mexico, Peru, Trinidad and Tobago, and Uruguay emphasized that all conventional weapons would be covered, regardless of their purpose and without exceptions. They also argued that review conferences should allow for eventual expansion of the treaty’s scope due to technological innovations in the arms industry.
- Ecuador said the text should not include technology.
- The EU and Greece said the treaty should have a comprehensive scope over all military conventional arms (emphasis added).
- The ICRC insisted ammunition be included in the treaty, noting that there are “already massive numbers of weapons in circulation, but their impact depends on a constant supply of ammunition.”
- Mexico noted that criminals don’t differentiate between sporting and military weapons and neither should the ATT.
- The P5 said the definition of items should be determined on a national basis.

*Scope: activities*

- Arab Group argued that brokering should be handled through national legislation and the ATT should only cover illicit brokering.
- Costa Rica and New Zealand gave a comprehensive list of activities, calling for inclusion of import, export, re-export, temporary transfer, transit, transshipment, brokering, leases, loans, and gifts.
- Costa Rica also called for the inclusion of transfer of technologies, manufacture under foreign license, and technical assistance.
- Liechtenstein said national control systems must control all transfer activities under their jurisdiction, including those that occur on the territory of the state and those that are undertaken by companies registered in that state.
- Ecuador called for the inclusion of all activities except for research, manufacturing, and production by states.

*Implementation*

- Bahamas, Chile, Colombia, El Salvador, Guatemala, Jamaica, Mexico, Peru, Trinidad and Tobago, and

Uruguay said the implementation section should avoid ambiguous terms such as “political abuse, which may undermine the Treaty with arbitrary interpretations.”

- Brazil suggested the treaty make it mandatory to mark all SALW that is new or subject to international transfer.
- Canada said an ISU should be minimal, small, funded out of existing UN budgets, and housed in existing UN institutions
- Costa Rica called for the treaty to include effective mechanisms to prevent corruption in arms transfers and to prosecute those responsible.
- Egypt argued that the treaty needs to establish mechanisms for collective decision-making rather than relying on national authorities alone.
- Malaysia said the ISU should be only logistical and administrative.
- Mexico said the treaty should focus on establishing programmes to limit the misuse of arms rather than punitive systems that will lead to “‘risk assessment shopping’ behavior in order to get access to weapons.”

#### Reporting and transparency

- Bahamas, Chile, Colombia, El Salvador, Guatemala, Jamaica, Mexico, Peru, Trinidad and Tobago, and Uruguay said that it should be mandatory for exporting states to share details with transit and transshipment states and that these states give their authorization prior to such activities.
- Brazil argued that “absolute transparency would expose States’ capabilities and means to sustain a durable conflict. At the same time, it would not be fair to put importing States under permanent scrutiny, while arms producing States may not have to inform or report on weapons acquired domestically via national procurement.”
- Canada and Israel said reporting obligations should address issues of national security, corporate confidentiality, and personal privacy.
- Estonia suggested different reporting requirements for different categories of weapons, i.e. mandatory reporting for the categories of the UN Register of Conventional Arms and SALW.

#### Dispute settlement

- Bahamas, Chile, Colombia, El Salvador, Guatemala, Jamaica, Mexico, Peru, Trinidad and Tobago, and Uruguay called for a consultation mechanism allowing recipient countries to address concerns to avoid a transfer denial. They also called for reference to article 33.1 of the UN Charter.
- Liechtenstein suggested that disputes be settled by the International Court of Justice unless the parties agree to another mode of settlement.

#### Entry into force

- Ecuador argued that major arms exporters do not necessarily need to be party to the treaty for it to enter into force, otherwise this would result in the possibility of those states having a veto.
- The P5 said it should take 65 ratifications for the treaty to enter into force and that these should include the major arms exporting states.

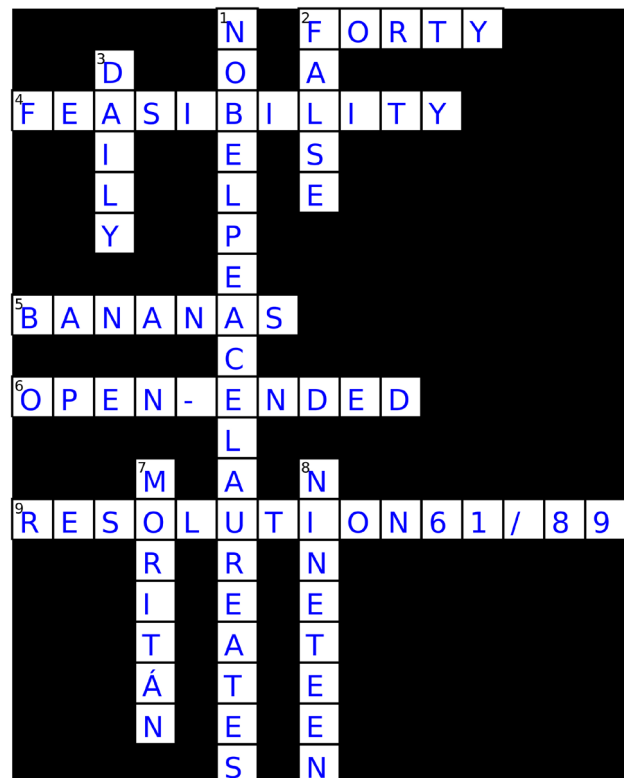
#### Reservations

- The Arab Group said the right of reservations must be safeguarded and not restricted by any conditions or terms.
- Bahamas, Chile, Colombia, El Salvador, Guatemala, Jamaica, Mexico, Peru, Trinidad and Tobago, and Uruguay said no reservations should be allowed, at least regarding scope and criteria.

#### Civil society

- Liechtenstein, Luxembourg, and Mexico welcomed the support, expertise, and participation of civil society in the ATT process.

### ATT crossword answers from Vol. 5, No. 2 from Tuesday, 3 July 2012



## Side event report: An ATT toolkit for African states

Lily Gardener | *Reaching Critical Will of WILPF*

**N***egotiating an Arms Trade Treaty, A Toolkit for African States* was launched at an event hosted by the Permanent Mission of South Africa to the United Nations. Mr. Rob Wensley, Counselor for Disarmament for the mission, chaired the panel that focused on the Institute for Security Studies (ISS)'s latest publication. The members of the panel included Dr. Ivor Richard Fung, Regional UN Regional Centre for Peace and Disarmament in Africa; Mr. Jones Borteye Appllerh, Executive Secretary, Ghana National Commission on Small Arms; and Mr. Guy Lamb, Senior Research Fellow, ISS.

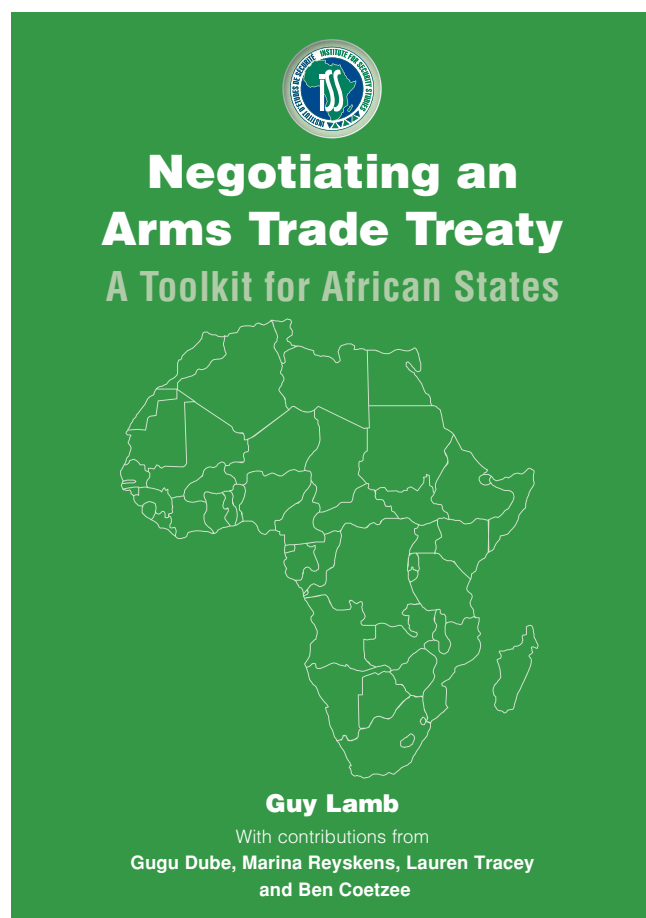
Mr. Fung spoke about the difficulties faced by African states participating in the negotiation process to articulate their concerns due to capacity. Many states are unable to send their experts due to budget restraints. The ISS toolkit serves as a reference guide for representatives of African states negotiating the provisions of an ATT. Mr. Fung explained how the toolkit is a "capacity building tool," which brings together what has previously been said on both the diplomatic and technical sides, and gives the reader the opportunity to reflect on the African situation. He commented that the weapons featured in the ATT are mainly on the African continent, and it is these people who "live it everyday". Mr. Fung acknowledged the work of civil society, in particular IANSA, WAANSA, and ISS, commenting that civil society groups are "a necessary pillar to support member states".

Mr. Appllerh spoke about the coming to fruition of the "wonderful document," the concept of which emerged in 2010 following a series of conversations about the lack of African perspective in negotiations. He explained that when you look at the unrest in places like Mali, Sudan, and Cote D'Ivoire, you do not see weapons categorized under the UN Register of Conventional Arms. These conflicts are predominantly fueled by small arms and light weapons. Mr. Appllerh questioned what concerns Africa should and could discuss in the negotiations that would have beneficial outcomes for the people most effected by the illicit arms trade. He argued for the inclusion of small arms and light weapons, ammunition, and humanitarian aspects in the treaty, as well as for stringent reporting and strong implementation. The toolkit, Mr. Appllerh, said could help to ensure African interests are inputted into an ATT.

Mr. Lamb, the primary author of the toolkit, provided insight into the document. He explained that ISS, established in South Africa in 1991, has become one of Africa's largest independent bodies focusing on research, policy advice, provision of capacity-building, and support on issues relating to human security. Mr. Lamb clarified that before the release of the toolkit, there was no one comprehensive document that brought together

core aspects of already existing resources. Low participation from some African states in complex substantive debates during initial discussion on the ATT and during the PrepComs was one of the reasons for publishing the document. Thus the layout of the toolkit is divided into components: scope, criteria, and implementation, and includes in each of the components a section on considerations for African states. This primarily makes reference to African obligations and commitments to regional and sub-regional small arms light weapons and ammunition control instruments. Mr. Lamb expressed his hope that the toolkit would act as non-partisan "food for thought," which would contribute to a more effective and substantive African involvement in ATT negotiations.

*Copies of the toolkit can be downloaded from the ISS website: [http://www.issafrica.org/uploads/ISS\\_ATT\\_Toolkit.pdf](http://www.issafrica.org/uploads/ISS_ATT_Toolkit.pdf).* •





## Dialing for dollars

Dr. Robert Zuber | *Global Action to Prevent War*

The latest non-paper from the Chair is both provocative (as he himself noted) and far reaching. At many points, suggestions for treaty negotiations are put forward that the Chair knows enjoy widespread but not universal support. The Chair, as he has done previously, has adopted a strategy that puts elements on the table that stretch consensus and require governments to take active measures to remove them from consideration.

One of the most welcome recognitions from the standpoint of Global Action to Prevent War is related to the need for sufficient ATT-related structure, including but not restricted to language focused on development of an Implementation Support Unit.

Our position from the beginning has been that, at a minimum, an ATT requires both a robust commitment to review cycles and a permanent structure that can, as the Chair's non-paper implies, coordinate capacity assistance, solicit additional government sponsors, clarify treaty obligations, remind states of urgent humanitarian needs related to illicit transfers, and more. While states will maintain the right to exercise primary authority over the criteria and circumstances under which any transfer might be denied, there is broad recognition in the negotiating room that some external entity tasked with providing attentive guidance with respect to treaty implementation is also needed. Even states concerned about implications of a treaty for sovereign control of domestic arms industries, including the maintenance of close control of information considered crucial to national security, recognize that a treaty without a structure would result in little more than a list of 'suggested' behaviors that would have little 'teeth' and inspire even less confidence.

Of course it is one thing to want a new structure. It is quite another to pay for it. There is no presumption in the negotiating room (that we have been privy to) that funds will be available to support the structure that many states say they want. There has been no concrete discussion, for instance, of things like ISU staff size, staff rank, etc., not to mention the strategy for supporting the Amendment or Review Conferences or the Assembly of States Parties. All these structural elements are needed, but none will come cheaply.

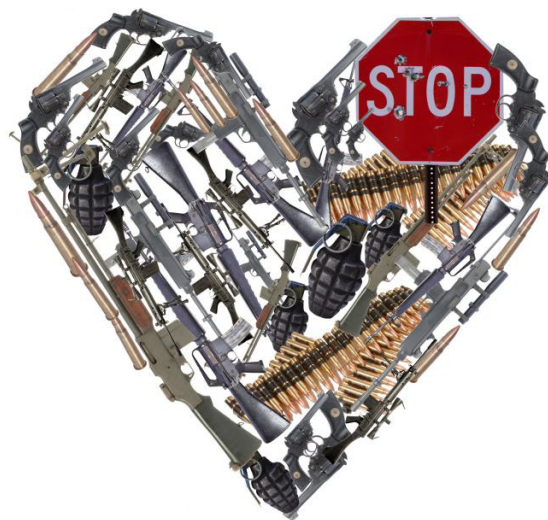
In a restaurant, for most of us at least, what we want to eat is limited in part by what we can afford to eat. A clever diner will scan the menu to find the best possible meal within budgetary limits. In the case of ATT-related infrastructure, a willingness by one or more governments to pick up all or part of the 'check' for infrastructure would help diplomats to envision the structure that we desire, to think in larger terms about how to ensure robust treaty implementation, not simply robust treaty language. We will still need to be clever, but the menu

options will significantly expand.

'Funded by States Parties,' the formula suggested by CARICOM and others, is obvious but difficult to sell in the abstract, especially given the climate of fiscal restraint that currently abides within the UN and in many member states. Thankfully, governments have, in numerous instances, offered national funds to create support structure (both inside and outside of headquarters) that would likely not have been possible if left to the devices of the Fifth Committee. Budget limitations are challenging, but need not be deal breakers.

A commitment by an individual state or consortium of states to fund ATT-related infrastructure—an ISU, the Assembly of States Parties, and rigorous amendment and treaty review processes—would greatly enhance (and make more concrete) essential discussions on structure. Such a gesture would also ensure that we get more of the structure that we need to promote treaty vitality. While it is important not to advocate structure which will quickly and easily outstrip existing or proposed resources, it is equally important not to minimize structure on the assumption that relevant resources simply cannot be found.

For one or more states that have championed this treaty, a pledge of support on structure could seal their championship appeal. •



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NOT LOOPHOLES

Show some #love for the #armstreaty [speakout.controlarms.org/mylovephoto](https://speakout.controlarms.org/mylovephoto)

## ATT MONITOR 5.3

### Calendar of events for Friday, 6 July 2012

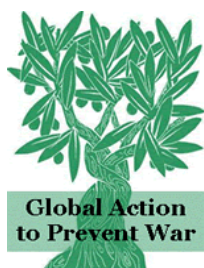
When	What	Where	Who
10:00–11:00	Plenary	Conference Room 1 North Lawn Building	
11:00–13:00	Main Committee 1: Goals and objectives	Conference Room 1 North Lawn Building	
13:15–14:45	Global Health and the ATT	Conference Room D North Lawn Building	Permanent Mission of Nigeria to the UN and IPPNW Contact: Maria Valenti mvalenti@ippnw.org
15:00–18:00	Main Committee 2: Scope	Conference Room 1 North Lawn Building	

### THE ATT MONITOR IS PRODUCED AND SPONSORED BY:



**Reaching Critical Will**

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*All views expressed in this publication are solely those of the contributing authors and do not necessarily reflect the positions of the supporting organizations.*