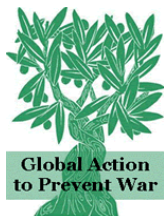


ARMS TRADE TREATY MONITOR

Civil society perspectives on the Arms Trade Treaty negotiation process

13 July 2012
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Editorial: Accountability, liability, and enforcement

Ray Acheson | Reaching Critical Will of WILPF

In a video message on Thursday afternoon, President Sirleaf of Liberia highlighted her country's suffering from "the terrible effects of more than 14 years of a devastating war with itself." The experience of Liberia and countless other countries and their citizens demonstrates the absolute necessity for the arms trade treaty (ATT) to prohibit exporters from authorizing arms transfers where they are likely to be diverted or to be used to facilitate armed conflict, violate human rights, international humanitarian law, or commit gender-based violence. If the treaty merely requires states to "consider" such criteria in a risk assessment process that is not backed up by a rigorous accountability mechanism, the ATT will not be a treaty but a mere list of suggestions.

Many delegations have stressed the importance of ensuring strong language throughout the treaty that obligates rather than recommends. On Wednesday, for example, Colombia's delegation argued that because the ATT is a treaty, it must be action-oriented. Instead of "seeking to regulate," the treaty must "regulate." The treaty should not "inhibit illicit diversion," but "prevent, combat, and eradicate" it. Several delegations have proposed—and many others have supported—that the treaty stipulate that a state party *shall not authorize a proposed export* if the criteria included in the treaty is not met. This is substantially more effective than the language in the Chair's 2012 paper, which merely says that states parties shall undertake assessments based on the treaty's criteria and, "where substantial risks exist, there shall be an overriding presumption against authorization."

Of course, even with strong language prohibiting an arms transfer when the criteria for that transfer has not been met, an equally strong monitoring and accountability mechanism will be necessary to ensure compliance. There has been a great deal of discussion at this conference regarding dispute

mechanisms in response to transfer denials. But what happens if a transfer is *granted* that violates the provisions of the treaty?

In a side event on Thursday co-organized by the Permanent Mission of Finland to the UN, the Women's International League for Peace and Freedom (WILPF), the IANSA Women's Network, and Amnesty International (see page 6 for details), WILPF Secretary General Madeleine Rees used case studies to highlight situations in which arms have been transferred to a country despite there being widespread knowledge of the violation of human rights, specifically gender-based violence. In the Democratic Republic of the Congo (DRC), for example, the atrocities of mass rape and other forms of sexual violence are well known. The easy access to small arms and light weapons has directly contributed to the extreme volume of rape in the country. Ms. Rees quoted Annie Mbami Matundu, president of WILPF's Section in the DRC, who has repeatedly said that while one man with a machete can rape one woman in a village, two men with a machine gun can rape the whole village. Yet arms exporting states still authorize arms transfers to the country, usually due to competing political or economic interests.

Under a robust ATT, that should not be possible. But the treaty would need effective monitoring, accountability, and liability mechanisms in order to address such a violation of its provisions. Unfortunately, little to no discussion has taken place on the treaty's potential enforcement mechanisms, nor in the areas of international monitoring or liability in cases of non-compliance.

In fact, the possible development of such mechanisms is further undermined by the recent P5 proposal that the criteria and enforcement sections of the treaty should be moved into the national implementation section. They want this adjustment in order to make it clear that "a decision-making process as well as specific parameters of

continued on page 5

Women's participation in the diplomatic conference on an ATT*Jasmin Nario-Galace | IANSA Women's Network*

UN Security Council Resolution 1325 calls for increased women's participation in decision-making processes that relate to peace. The negotiation of an Arms Trade Treaty (ATT) is one such process as its goal, in the perspective of many, is to save lives.

The list of participants in the meeting held in July 2012 showed that of 669 participants, 168 were women. That is 25% of the total. In the Fourth Preparatory Committee for the ATT process held on February 2012, women's participation was at 20%.

Of 102 delegations that submitted names of participants, 13 had women on top of the list. That is 13% of the total. This indicates that leadership in this particular process is very much in the hands of men. 91 States did not indicate names of participants.

Mongolia and Saint Lucia have sent an all-woman delegation. Bahamas, Romania, St. Vincent, Samoa, and Slovenia had 67% women in their delegation. More than half of the delegates of Finland, New Zealand, Spain, and Trinidad and Tobago are women. Meanwhile, half of the participants from Antigua and Barbuda, Lebanon, Liberia, Norway, Palau, Republic of Moldova, Sri Lanka, and Suriname are women.

Twenty-seven States did not have women in their delegations based on the list circulated by the UN. These were: Afghanistan, Albania, Bangladesh, Benin, Cambodia, Chile, Cote d'Ivoire, Croatia, Ecuador, El Salvador, Eritrea, Ghana, Grenada, Lao People's Democratic Republic, Libya, Mali, Malta, Mauritania, Niger, Pakistan, Panama, Poland, Portugal, Qatar, Sudan, Syrian Arab Re-

public, and Venezuela.

Campaigners from various organizations such as the IANSA Women's Network are lobbying for the inclusion of gender language in the treaty text. They are hoping that States will include a criterion in the ATT that States shall not transfer arms where there is a substantial risk that the arms under consideration are likely to be used to perpetrate or facilitate acts of gender-based violence, including rape and other forms of sexual violence.

At the time of this writing, twenty-seven States have openly supported the inclusion of gender language in the treaty. These are Iceland, Senegal, Sierra Leone, Gabon, Ghana, Republic of Korea, Ireland, UK, Australia, Finland, Liechtenstein, Lithuania, Norway, Kenya, Switzerland, Norway, Austria, Turkey, Belgium, Sweden, Botswana, Denmark, New Zealand, Samoa, Liberia, Zambia, and Malawi. Many of them have suggested that gender language be included in the criteria. The Holy See and ten organizations of the United Nations also emphasized the impact of irresponsible transfers on women.

The UN General Assembly has expressed its concerns about the pervasiveness of violence against women noting that such violence seriously impairs women's ability to exercise their fundamental human rights. The ATT is an opportunity for Member States to build on their commitments to such rights.

Will the delegates of the diplomatic negotiations on the ATT choose to stand between the perpetrators of sexual and gender-based violence and the women victims?

That remains to be seen. •

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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.

An historic opportunity to prevent gender-based violence at gunpoint

Rebecca Gerome | IANSA Women's Network

You may have noticed women dressed in black handing out pins, postcards, and leaflets at the entrance of the conference room yesterday. IANSA Women, members of the Women's International League for Peace and Freedom (WILPF), women from Amnesty International, and the Control Arms coalition wore black to remind all those participating in ATT negotiations that the arms trade is not just any trade. They wore black to remind those present that the arms trade is about militarism, violence, and war. And it has specific gender dimensions.

Women rarely manufacture, sell, buy, or use weapons, yet they are disproportionately affected by the arms trade and in particular, by the proliferation and misuse of small arms and light weapons. While men are the majority of those killed by small arms, women suffer in more invisible ways. High death and injury rates of men are the most obvious and visible effects of gun violence, yet what fails to appear in statistics is when guns are not used to kill but to exert power; when guns are used behind closed doors to subjugate family members; when guns are used to threaten adolescent girls with sexual violence, forcing entire families to flee. What we fail to talk about, when we talk about the arms trade, are the rapes of tens of thousands of women at gunpoint.

There is a strong correlation between carrying weapons and notions of masculinity, considered to be traditional "gun-culture". Armed conflict changes men's views about what qualifies as masculine behavior: group pressure amplifies men's aggressiveness and inclination to treat women as inferior. Since almost all men are armed in times of conflict, it is inevitable that their weaponry is implicated in the exercise of power over women.

For example, armed men perpetrate sexual violence at gunpoint against women and girls with impunity, most famously in the Eastern DRC, but also in a number of countries that are not necessarily at conflict.

Marie was gang raped on 10 June 2010 in Port-au-Prince. "When you call [for help], people hear but they don't come out to help when there are people with guns around," she says. Her story is one of many others in Amnesty International's January 2011 report on Haiti, entitled "Aftershocks: Women Speak Out About Sexual Violence". Most of the rape victims interviewed were threatened by groups of men armed with guns.

By facilitating domination and violence against women, guns prevent women from exercising their basic rights on a daily basis, in the marketplaces where they trade, in the fields where they work, at water-points and along the roads where girls walk to school.

United Nations Member States have progressively recognised that a gender perspective needs to be included in all policies and programmes. The inclusion of gender-based violence in the preamble of the Chair's Paper is a good start, but it is not enough. Gender-based violence must form an explicit part of the criteria determining whether arms transfers are authorised.

Gender-based violence can constitute a violation of human rights, a violation of international criminal law, and in cases of armed conflict, a violation of international humanitarian law. So why include a separate criterion on gender-based violence if the criteria already covers those areas of international law?

The Mission of Finland, Amnesty International, WILPF and the IANSA Women's Network co-organised a side event on this very topic. Panellists argued that if it is not explicit, gender-based violence tends to be sidelined and ignored. More importantly, a gendered analysis of the potential impacts of an arms transfer is necessary in order to draw an accurate and complete picture of the situation. Gender-based violence must be explicitly considered in any risk assessment preceding each and every arms transfer decision.

107 civil society organisations and networks from around the world have joined our call to include gender-based violence in the criteria of the ATT.

Six states have shown support for the inclusion of gender-based violence in the preamble: New Zealand, Australia, Austria, Switzerland, Belgium and Turkey. Botswana has called for it to be in the goals and objectives of the treaty. 14 states have taken the next logical step and supported the inclusion of gender-based violence in the core part of the treaty, the criteria: Norway, Finland, Ireland, Iceland, Sweden, Lithuania, Sierra Leone, Ghana, Gabon, Malawi, Kenya, Zambia, Liberia and Samoa. We thank these states and call on all others to seize this opportunity to make women safer and uphold their basic rights.

Violence prevention is complex and difficult to achieve. The Arms Trade Treaty might have the potential to be a step in this direction - if it includes strong provisions and robust criteria on gender-based violence. It is time to seize this opportunity to prevent gender-based violence and prove your commitment to women's rights.

For more information, read the *Joint Policy Paper on Gender and the Arms Trade Treaty* by WILPF, IANSA, Amnesty International and Religions for Peace www.iansa-women.org, www.reachingcriticalwill.org, www.peacewomen.org, www.amnesty.org, www.religionsforpeace.org.

News in Brief

Katherine Prizeman | *Global Action to Prevent War and Ray Acheson* | *Reaching Critical Will of WILPF*

The News in Brief is not a comprehensive summary, but a brief overview of new or elaborated positions or ideas on key aspects of the ATT from open meetings.

Main Committee 1: Criteria/parameters

Nature of criteria/general comments

- Trinidad and Tobago, Denmark, Chile, Malawi, and the Netherlands recognized the criteria as the cornerstone of the treaty.
- Singapore expressed concern over the lack of clarity around the phrase “substantial risk.”
- Cuba stated that any criterion should meet minimum requirements of objectivity and clarity and cannot be abused or manipulated.
- Pakistan noted the criteria’s divisive nature and said “there is little prospect for consensus.”
- Russia said that the criteria section should be moved to the implementation section as part of national risk assessment and should not function in a legal, prohibitive nature.
- Venezuela said that the criteria must be non-discriminatory and free from politicization so that the treaty does not become a “tool for the club of exporting states forcing developing countries to renounce the right to self-determination.”
- France and Denmark stated that the criteria should address not just exports, but also imports, transshipment, and brokering.
- The US said that the criteria cannot take precedence over national or regional security.

Specific amendments to the Chair’s 3 July 2012 Paper

- Iran called for a “chapeau” that states that the criteria will be used for assessment of one-time exports prior to conclusion of the contract as to not leave room for political loopholes.
- The EU, Zambia, the Holy See, and Chile spoke against the provision for ‘mitigation measures’ in paragraph 3 (section 6) noting that any precautionary or preventative measures should be understood and the EU noted these should be considered before transfer authorization.
- Germany spoke against the language “presumption for denial” calling for stronger language of “shall not.”
- Mexico called for the replacement of “shall prohibit” with “shall deny” or “shall not authorize.”
- Costa Rica proposed to eliminate “shall prohibit...” and replace with “a state party will deny any transfer of conventional arms when that transfer can be used to commit or facilitate grave breaches of international human rights law, war crimes, or grave violations of international humanitarian law.”

- Spain and Denmark suggested merging sections 5 and 6 to have all criteria under one section.
- New Zealand called the Chair’s recent paper “too complicated for national legal systems” and noted its preference for the 2011 version.
- Moldova called for the addition to section 5 of the statement, states “shall prohibit any transfer of arms or ammunition by actors not accountable to or controlled by constitutional authorities of the state party or to parties that would undermine the state’s territorial integrity.”
- Trinidad and Tobago called for the deletion of the reference to “suspend or revoke an application” under paragraph 6.
- Finland suggested substituting “serious violations of international human rights law and international humanitarian law” for “relevant international obligations” under section 5.

References to specific criterion

- Ghana, Samoa, Sweden, Liberia, Zambia, Malawi, and Kenya called for inclusion of gender-based violence in all its forms.
- While ECOWAS, Samoa, Costa Rica, and Spain called for inclusion of development in the criteria, Iran called this criterion “subjective” and the Republic of Korea called this language “vague.”
- The DPRK, Iran, and Russia rejected the inclusion of Security Council arms embargoes and resolutions.
- Egypt and Iran called for a criterion related to supplying arms to those engaged in foreign occupation as this “denies the most basic human rights.”
- Spain, Samoa, and Iran referred to a criterion for transnational or organized crime.
- Viet Nam, Cuba, Venezuela, Niger, and Syria called for the prohibition of transfers to non-state parties.
- In reference to diversion, Mexico stated that as it is impossible to know the end-use of diverted arms, risk of diversion should be referred to in general terms.

Plenary

Goals and objectives

- Holy See said the goal is not merely the regulation of conventional arms trade but the disarming of the illicit market.
- Mongolia said a strong ATT will advance the goals of international peace and security and socioeconomic development.
- United States said the goal is a treaty requiring states parties “to regulate their international arms trade according to high standards, in accordance with their own constitutional and legal structures.”

Criteria

- Liberia argued for the treaty to include anti-corruption standards.
- United States called for the ATT to include “criteria that each government must consider carefully before authorizing the export of conventional arms, to ensure that international transfers even to legitimate end users are not made capriciously, without deliberation, or contrary to longstanding international principles.”
- UNOCHA said states must be required from authorizing transfers when at risk of being used to commit violations of human rights or IHL.

Scope

- Liberia emphasized the importance of including ammunition in the treaty, noting that the battle between armed groups in Monrovia in June 2003 stalled when ammunition ran out and began anew when fresh supplies arrived.
- UNOCHA called for the broadest scope, including ammunition, parts, and components.

Implementation

- The P5 suggested reorganization of the implementation section of the Chair’s paper, in which two sections would be created: National Implementation and International Cooperation. They said the authorization and notification systems should be merged into one section “to ensure equally tight controls over arms transferred”. The criteria and enforcement sections should be moved into the national implementation section to make it clear that “a decision-making process as well as specific parameters of controls over arms transfers must remain a national prerogative of states parties.” They also called for reporting, transparency, and national contacts to be moved to the international cooperation section.

Victims’ assistance

- Holy See called on negotiators to “retain and strengthen provisions regarding victims’ assistance, by pushing States parties to offer or receive assistance for the care, rehabilitation and social and economic reintegration of victims of armed conflict.”
- Holy See called for a “process focused on the reduction of the number of victims through the intensification of the prevention of illicit arms proliferation and a reduction in the overall trade of arms.”

Other

- Botswana said existing arms control arrangements should complement the ATT.
- Holy See called for the ATT to note the need to prevent

illicit arms proliferation by reducing the demand for arms through educational initiatives and public awareness programs to build a culture of peace.

- Liberia highlighted the devastating economic cost of the unregulated arms trade on developing countries, noting that armed conflict costs Africa at least \$18 billion per year.

Civil society

- Holy See argued that all members of the international community—states, international organizations, NGOs, and the private sector—are responsible for promoting interrelated action aimed at implementing article 26 of the UN Charter.
- Liberia highlighted the importance of civil society groups, noting, “When States forget that they exist, first and foremost, to protect their citizens, it is vital that civil society continues to remind us of our responsibilities and obligations.”
- Mongolia noted there is a civil society movement in its country in support of an ATT. •

Editorial, cont’d

controls over arms transfers must remain a national prerogative of states parties.” However, if the treaty is to be truly effective at achieving the goals of combating illicit trade, preventing human suffering and violations of human rights and IHL, and more, criteria and enforcement must be an *international* prerogative. If criteria, enforcement, or other provisions are left up to individual governments to determine, there is little chance of the ATT being strong enough to make a difference in the lives of millions suffering from the consequences of irresponsible arms transfers. •

Addressing the impacts of the arms trade on gender-based violence

Emma Rosengren | WILPF Sweden

In this side event attended by more than 100 participants, arranged by the Women's International League for Peace and Freedom (WILPF), the Women's Network of the International Action Network on Small Arms (IAN-SA), and Amnesty International in cooperation with the Permanent Mission of Finland to the United Nations, speakers addressed the important issue of how the arms trade treaty (ATT) could include, and thereby contribute to preventing, gender-based violence. The seminar was chaired by Riitta Resch, Head of the ATT delegation of Finland.

Madeleine Rees, Secretary General of WILPF, stressed that the ATT will be written within a legal framework of international law in which gender mainstreaming in the UN is already an obligation, thus an ATT that does not take gender-based violence into account is not an option. According to Ms. Rees, the ATT must have preventive elements in order to be effective, and it has to be reflective of the obligation to protect. These elements include both negative obligation not to sell arms if there is a risk that it could be used to facilitate gender-based violence, but also positive obligations to prevent, protect, and punish, as well as to provide compensation to victims. In terms of what should be included in a risk assessment, Ms. Rees argue that if states are left to interpret and decide on criteria themselves, or if the criteria are not specific enough, states will set their own standards, which will likely lead to violations of human rights through irresponsible arms transfers.

By sharing her first-hand experience on how armed violence is a huge threat to women's security, Marren Akatsa-Bukachi, Executive Director of the Eastern African Sub-regional Support Initiative for the Advancement of Women (EASSI), put emphasis on why an ATT cannot be allowed to leave gender-related violence out of its criteria. Firearms help making rape possible, she noted, and too many women suffer from this reality every day. This clearly has negative consequences for women's physical and psychological health, but also for the society as a whole. The different impact of small arms and light weapons (SALW) on men, women, boys, and girls is clear proof of why both SALW and gender based violence, including sexualized violence and rape, have to be included in the ATT. Ms. Akatsa-Bukachi called for the creation of a critical mass in the negotiation room in favour of including this topic in the ATT criteria.

Dr. Dan Kuwali of the Republic of Malawi argued that wars today have no frontiers, and that conflict-related rape is a clear example of that. He emphasized that while gender-based violence does not exclusively apply to wom-

en, it is necessary to highlight that men most often are the perpetrators and that women are most often the victims. He also argued that rape as a manifestation of dominance is so widespread due to the fact that SALW and ammunition is too easily accessible, cheap, and easy to use. In this regard, he also said that firearms are used as a license to oppress, both in the private and in the public. The legal framework on Women, Peace and Security manifested in UN Security Council resolutions 1325 and 1820 and the Beijing Platform for Action are only a few examples of how the UN has already focused on gender-based violence, hence it has to be included as a specific criteria and in the goals and objectives of the ATT.

Clare da Silva of Amnesty International presented the main priorities of her organization, arguing that the criteria of the ATT must be comprehensive while also including details regarding risk assessment. She stressed that it is important that all relevant information about end-users, usage, and misuse are taken into account, and that states should be required to investigate if an arms transfer is likely to be used to facilitate gender-based violence. Likewise, the scope of the treaty has to do the same, and all conventional arms that do and can facilitate the identified violations have to be included. In order to ensure efficiency, effective control mechanisms with high international standards are necessary, as well as an obligation to implement these standards including risk assessment. According to Ms. da Silva, by including gender-based violence in the criteria of the ATT, both exporters and importers are obliged to ensure that violations will not take place.

Several participants raised different concerns in the Q&A session, including the importance of reaching out to states that have not already asked for gender-based violence to be included in the operational part of the treaty. Clearly, the critical mass needed for the ATT to contribute to prevent gender-based violence has started to take form, but will have to grow during the coming days. The diverse experiences of the panelists in this seminar clearly shows that in order to increase women's security, the ATT should require states to not allow an international transfer of conventional arms where there is a substantial risk that the arms under consideration are likely to be used to perpetrate or facilitate acts of gender-based violence, including rape and other forms of sexual violence. •

Avoiding an ‘export-only’ treaty

Katherine Prizeman | *Global Action to Prevent War*

During Thursday morning’s Main Committee I meeting on criteria and parameters, several delegations referred to the paper co-sponsored by Australia, Japan, Sweden, and Switzerland, “Proposal on Criteria for Exports,” as a good basis for discussions on the formulation of this section of the treaty. The paper does indeed provide helpful guidance on criteria that should be included in the ATT. Most importantly, the paper improves greatly on the President’s 3 July 2012 paper insofar as the phrase “shall assess whether” is replaced with the phrase “shall not authorize ... where substantial risk exists.” As has been suggested by many civil society colleagues and delegates alike, the provision “shall assess” is simply not sufficient; it is essential that some level of accountability exists beyond requiring states to conduct entirely private “assessments”.

Nonetheless, while the paper provides constructive language on many of the critical criterion for a robust ATT—international humanitarian law and human rights, organized crime, terrorism, development and poverty reduction, as well as diversion in all its forms including corrupt practices—there is an area in which the paper could be improved upon.

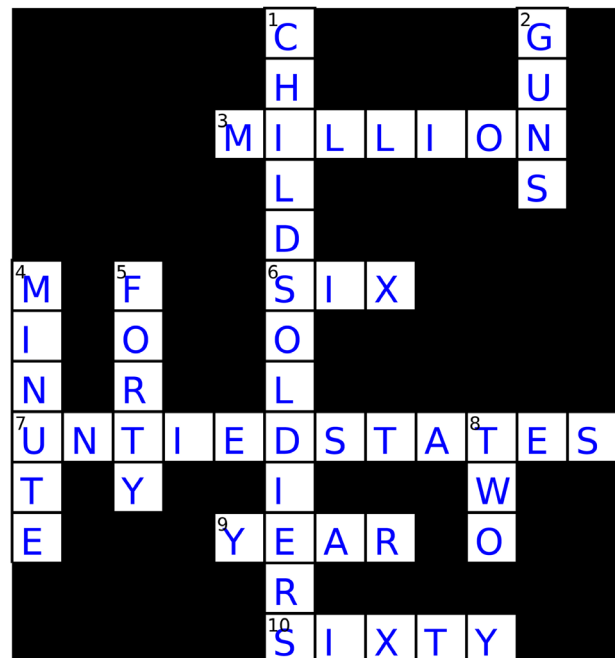
As explained in the “Introduction” section, the paper adopts an “export-only” perspective, whereby the criteria laid forth would be used by exporting states to determine whether or not to authorize a transfer of arms. While exporting states will have the primary responsibility to conduct consistent, robust, and rigorous assessments based on solid criteria of decisions to export arms from their territory, the ramifications of facilitating an “exporter-only” treaty could be detrimental to other states’ interests and, therefore, the success of the treaty. Several delegations, including Egypt, Cuba, and Syria, have already expressed that any treaty that represents an imbalance between exporter and importer states will be unacceptable due to the potential manipulation and political misuse of the criteria. It would follow then, that a criteria section drafted entirely from the perspective of exporters, detailing how such states are to determine arms transfers without codifying the roles and responsibilities of importer and transit states, may endanger the support of many non-exporting states for the ATT.

Additionally, such a one-sided construction does not adequately underscore the responsibility that must be borne by all states parties in the international arms trade. The explanatory note at the conclusion of the paper reflects this concern by noting that, “Commensurate with their role in the transfer chain, these [non-exporting] States should be required to take all appropriate legal,

administrative and other measures necessary for ensuring the effectiveness of the Treaty.” Nonetheless, the paper still leaves room for a hostile interpretation of criteria given that non-exporting and non-manufacturing states may feel threatened by its “export exclusivity”. For instance, the delegate of Venezuela, while not specifically responding to the paper, stated on Thursday morning that a treaty that represents another “tool for the club of exporting states” is unacceptable. It is important to bear in mind the sensitivity around this issue and to practically address the widespread aversion to using treaty criteria to reinforce an exclusive “exporters club”.

While the majority of assessments for authorization would be the responsibility of exporters, it is unnecessary to limit the criteria to exporters, but rather, allow for the same criteria to apply to the decisions of importer and transit states. It is important to codify in the ATT the responsibilities of all states to contribute to ensuring international peace and security through preventing the illicit and irresponsible trade in conventional arms. •

ATT crossword: answers from Vol. 5, No. 7 from Thursday, 12 July 2012



Workshop on the UN Register of Conventional Arms

Sameer Kanal | *Reaching Critical Will of WILPF*

On Thursday, the United Nations Register of Conventional Arms held a side event entitled “Workshop on the UN Register of Conventional Arms.” Moderated by Daniël Prins, Chief of the Conventional Arms Branch of the UN Office for Disarmament Affairs, the panel also included Tom Kono, Political Affairs Officer of the Conventional Arms Branch of UNODA.

Mr. Prins opened the discussion by noting that the Register might be the basis of the reporting system included in the Arms Trade Treaty, and its categories might be the basis of the treaty’s scope. Stating that “statistics are only as helpful as how you present them,” Prins noted that all data collected by the Register has been placed into an online public and searchable database. Hailing this development as a vast improvement from the previous practice of simply scanning the paper reports and posting those online, Prins noted that the new system allows the public to see “the relationships between those imports and exports”; the online database has a “built-in check” and shows discrepancies between importer and exporter reports. Prins stressed that the Register, and the UN as a whole, was not given a mandate by member states to investigate discrepancies, which he said every state submitting reports had, “but we do have a mandate to at least show the information that we’ve received, so that others can [investigate].” Prins noted that the Register existed to track only those transactions reported by states, and estimated that collected reports captured roughly 90–95% of the legal arms trade in the seven categories. Prins also discussed participation in the Register, noting that all major exporters had participated in the reporting on the seven categories, and that two-thirds of participants who reported included SALW transactions. Prins concluded his remarks by supporting transparency: “Data is nice, but trying to bring it alive is nicer [...] This is an open website—there are no passwords, and it’s open to everyone.”

Mr. Kono demonstrated how states submit reports online, an option made available within the last year and increasing in usage. Unlike the viewing of reports, submitting reports is done via a secure, password-protected portion of the Register’s website. In addition to the reporting of imports of the seven categories and the exports of the same, the report allows for optional reporting of small arms import/export; light weapons import/export; military holdings, which Kono described as a report on “stock, not flow”; and national policy changes. Within each of these sections, states report on individual transactions, and are encouraged to provide remarks such as the type and number of weapon imported or exported and third countries of origin or transit. Kono described

the Register’s reporting system as “increasing confidence immensely,” in particular with relation to reporting on SALW transfers. He noted that forty-nine countries reported on SALW transactions in 2011, which provides information on the legal trade worldwide in SALW, and “if you know the legal part, you will also see the illegal, illicit trade [...] and identify where the problems are.” Kono acknowledged that it is a “time consuming” and “onerous” system, but argued that it was far more efficient and easy than the paper reporting system, and a large step towards a smaller reporting burden.

The discussion began with a recommendation to organize data regionally on the database. While Mr. Prins noted that there is no regional analysis as of yet, he stressed that the data was presented in a way that made it easy for civil society analysis on a regional level. Kono added that statistics were kept on a regional basis with relation to Register participation, if not for transactions themselves. A question from Moses Phiri of the Zambian delegation related to under-reporting of SALW data for Africa. Prins agreed with Phiri that there were numerous gaps in SALW data for Africa, and that since the Register doesn’t address illegal transfers, this was one of the weaker points in data; Prins also noted that while there was “less commitment to reporting” for SALW than for the seven categories, “they do still report.” The third point related to ease of completion of reports online, with a representative of the Australian delegation citing her own experience filling out the Register reports in suggesting the creation of a document listing all the data needed to complete a report so that the National Point of Contact could ask different agencies for specific data and assemble it before beginning the report. The suggestion was taken positively by both Prins and Kono, who mentioned that standardized documents have been created numerous times since the Register’s inception by the Group of Governmental Experts. Finally, the discussion turned to the relationship between the ATT and the Register. Prins asserted that it would be important to ensure that if the Register itself was used for reporting, that its categories and the ATT’s line up; here he cited the distinction between “fighter jets” and “military aircraft.” He noted that the Register might be eliminated or exist in tandem, but warned that eliminating the Register before the treaty was sufficiently ratified would leave out states which voluntarily report, but would not yet be states party to the treaty. Prins closed the event by stating that in the long term, “we do need to find ways to combine them somehow in a thoughtful way [...] to put them together without losing information.” •

Implementation assistance for an ATT: Learning from existing efforts

Sofia Tuvestad | WILPF Sweden

On Thursday the Permanent Mission of Sweden to the UN and the Stockholm International Peace Research Institute (SIPRI) arranged a side event on ATT implementation assistance. Paul Beijer, Ambassador and head of the Swedish ATT delegation, chaired the seminar. The panel included Dr. Paul Holtom, Director of the SIPRI Arms Transfers Program; Meg Mitchell from the US State Department; Anne-Charlotte Merrell Wetterwik from the University of Georgia Center for International Trade and Security; John Tileman from the Australian Ministry of Foreign Affairs; Mitsuhiro Kano from the Japanese Ministry of Foreign Affairs; and Fabio Della Piazza from the European External Action Service (EEAS).

The overall message of this side event, said ambassador Beijer, is to show that once the ATT is to be implemented we are not starting from a blank sheet. There are a great deal of activities already going on in the area that will be referred to as ATT implementation assistance once the treaty is in place. Ambassador Beijer underlined the importance of identifying existing programs on implementation assistance for export control and how they can be used in implementation procedures. Mr. Kano spoke about Japan's efforts in this area, such as acceptance of trainees from custom services in developing countries.

However, efforts to assist states on ATT implementation will no doubt require expansion of existing programs. There will also be a need to develop new approaches and efforts. Assistance programs can include a broad range of activities ranging from national capacity building and awareness-raising to revising or drafting transfer control laws and regulations. Developing inter-agency cooperation and coordination, and working on outreach to industry and the scientific community, are further examples of what assistance programs may include.

Dr. Holtom spoke about his and Mark Bromley's recently published SIPRI report "Implementing an arms trade treaty: mapping assistance to strengthen arms transfer controls". SIPRI has carried out an inventory on programs and projects in the area of export control in order to identify lessons learned from ongoing work and to draw conclusions for future efforts. The report concludes that a mechanism for coordinating and facilitating requests for, and offers of, international assistance under an ATT is needed.

Dr. Holtom said that challenges for future implementation efforts include the need for sufficient financial as well as human resources. The EU, its member states and the US will all constitute significant providers of financial, material and technical resources according to the report. It has already been announced by Australia that they will be setting up a one million dollar fund at the UN specifically marked for work on implementation assistance. The UN agencies together with international and regional organizations and NGOs will be crucial in providing technical assistance.

There is also the challenge of securing commitment. States must prioritize implementation efforts and show sufficient political will said Dr. Holtom, which was further underlined by Ms. Merrell Wetterwik and other panelists. The issue of how to reach sustainability in implementation efforts was discussed during Q&A. Ms. Mitchell underlined that senior government officials must communicate their political commitment to all parts of the organization.

Actors involved in implementation programs must make sure that needs for assistance are matched with relevant providers. There is not one set of measures of assistance that will suit every state, said Mr. Piazza from the EEAS. He pointed to the potential of pooling and sharing through which a variety of states from different backgrounds can take part in assistance measures. Mr. Tileman mentioned that future implementation efforts should be in line with other international obligations, such as the UNSC agenda on Women, Peace and Security.

The IANSA Women's Network



Speed bumps

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

Many delegations, both formally and informally, are communicating urgency to 'get on with' negotiations, to move past national statements to deliberations on concrete text. The essence of this concern, even by states which have raised numerous objections to the scope, principles, etc. proposed for inclusion in a final treaty, is that there is not enough time for the negotiations to conclude successfully.

This in my view is a misreading of the situation. From the standpoint of negotiations, it would probably have been helpful to have less 'lost time' in the beginning, both on seating arrangements and on national statements that largely laid out familiar positions. That said, we do understand that these governmental positions are the basis of negotiating positions. We also understand that conflicts over principles, scope, delegate participation, etc. are better aired in the beginning phases of the negotiations than leaving them for later and thereby risking dangerous diversions at the point that treaty text is ready for final approval.

These diversions of position and participation are not impediments to successful conclusion of negotiations, but are rather one of several 'speed bumps' on the way to a measured, viable conclusion. 'Speed bumps' exist to balance the need of people (and their vehicles) to reach their destination with the potential dangers that exist in both sides of the road and of which those speeding along might not be properly aware.

In essence, such 'bumps' bring pace into harmony with risk.

This is a formula that (without endorsing the specific images) has been largely adopted by the Chair and Vice Chairs, approximating a pace that minimizes the risk of costly 'accidents' while leaving sufficient time to achieve adoption of treaty text. The Committee process employed during these negotiations, which allows for abundant consultation and exchange of views even sometimes at the expense of time, provides for what we believe is an appropriate "slowing" of the negotiations with the expectation that we can avoid an abrupt and avoidable "crash" as this Conference draws to a close.

The anxiety around time is completely understandable and it is reasonable for states to seek assurances from the Chair on time and task. One month seemed like a long time when these sessions began. Almost half way through, we recognize that time, if not our enemy, is certainly our challenge.

In our view, the 'bumps' we have passed over so far were largely relevant (if not always necessary) to keeping anxiety over pace from leading to mistakes that could jeopardize sustainable progress. It is now time to hit the accelerator a bit more robustly, relying on the judgments of leadership regarding how to invest time and energy in ways that can avoid mis-steps and bring about a successful conclusion to this treaty process. •

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L R Z F P N D C M D L N H R P J L H G H
Y C E J C H T W H E M G D O C T G I E A
T F O H I T U E B L T V L D C O Q I D W
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X D B S O L U S C I A H R X I E H I A X
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Z O O S J J A I E S A A S J M J L R N E
R K C P M P O B H C Q M F S O Z F K T O
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CONVENTIONAL
WEAPONS
COMPLIANCE
DISARMAMENT
ILLICITMARKET
INTERNATIONAL
MISSILELAUNCHER
POLITICAL
SURPLUS



INVITATION

Women's Human Rights The Arms Trade Treaty and CEDAW

Friday, 20 July 2012

**UN-Women headquarters, 19th Floor Conference Room
(220 East 42nd Street, New York)**

From 1:15 to 2:45 pm
Light Lunch will be served

Please RSVP (for access reasons) to: ameer.el.nager@unwomen.org

The panel will discuss important ways in which two treaties-- the Arms Trade Treaty (ATT) and the Convention on the Elimination of All Forms of discrimination against Women (CEDAW) along with the UN Security Council resolution 1325 et al. can work to prevent discrimination and violence against women, particularly in conflict and post-conflict situations.

Speakers include:

- Anne Marie Goetz, Chief Advisor, Peace and Security, UN Women.
- Pramila Patten, CEDAW expert and Chair, Working Group on Women in Conflict and Post-conflict Situations.
- Vanessa Farr, International expert and consultant, Women's International League for Peace and Freedom (WILPF).
- Michèle Olga Pépé, IANSA Women's Network and the West African Action Network on Small Arms (WAANSA)-Cote d'Ivoire / Réseau d'Action sur les Armes Légères d'Afrique de l'Ouest (RASALAO)-Cote d'Ivoire.
- Nicole Ameline, Vice-Chair, CEDAW committee and expert

Co-sponsors International Action Network on Small Arms (IANSA), The International Alliance of Women (IAW), Women's International League for Peace and Freedom (WILPF) and UN Women.

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Calendar of events for Friday, 13 July 2012

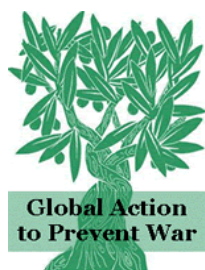
When	What	Where	Who
10:00–13:00	Main Committee 1 (closed): Goals and objectives	Conference Room 4 North Lawn Building	
10:00–13:00	Main Committee 2 (open): Scope	Conference Room 1 North Lawn Building	
15:00–18:00	Main Committee 1 (closed): Principles and parameters	Conference Room 4 North Lawn Building	
15:00–18:00	Main Committee 2 (open): Implementation	Conference Room 1 North Lawn Building	

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Reaching Critical Will

a project of the Women's International League for Peace and Freedom



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international action network on small arms



**World Council
of Churches**

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