



# UNA-UK BRIEFING PAPER

## TOWARDS AN ARMS TRADE TREATY

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### ESTABLISHING AN ARMS TRADE TREATY AT THE UN: PROGRESS AND CHALLENGES

There has been significant progress over the last few years towards the establishment of an international Arms Trade Treaty, negotiated at the United Nations. This has been achieved largely by the tireless effort of NGOs who have campaigned for governments to support the adoption of such a UN treaty. However, the campaign is now at a crucial period that could decide whether the treaty will come to fruition or continue to be delayed by states putting their self interest over human security concerns. Action is now needed to ensure that the Arms Trade Treaty is adopted promptly and in an effective form.

### WHAT IS THE ATT?

An effective Arms Trade Treaty (ATT) would establish a set of legally-binding international principles to govern the trade in conventional arms and set out a practical mechanism for their application. These principles are envisaged to represent minimum standards and responsibilities under existing international law and would not prevent the adoption of stronger national or regional controls. The treaty aims to curb the irresponsible and illegal transfer of weapons and ammunition that serve to prolong and exacerbate violent conflict and human rights violations and undermine the prospects for sustainable development.

### THE EVOLUTION OF THE TREATY

In May 1997, a group of Nobel Peace Laureates led by Dr Oscar Arias, the former President of Costa Rica, published a draft *International Code of Conduct on Arms Transfers* based on humanitarian law, human rights obligations, and the requirements of international peace and stability, to regulate the international arms trade. This led to agreement at the United Nations in 2001, for a *Programme of Action to Prevent, Combat and Eradicate the Illicit trade in Small Arms and Light Weapons (POA)*. It became clear to campaigners that this statement of intent by states would be insufficient in curbing the harmful aspects of the arms trade and that a legally-binding instrument was required. In May 2003, an international collaboration of NGOs known as the Arms Trade Treaty Steering Committee developed a proposal for a *Framework Convention on International Arms Transfers*; this proposal is now generally referred to as the Arms Trade Treaty.

### RECENT PROGRESS TOWARDS ACHIEVING AN ATT

Intense campaigning since 2003 led by the Control Arms campaign – jointly run by Amnesty International, the International Action Network on Small Arms and Oxfam International – has resulted in significant progress in the UK and globally. On 15 March 2005, Jack Straw, then UK Foreign Secretary, announced that the UK government would promote the establishment of the ATT at the UN. This led to EU member states announcing their full backing for the ATT on 3 October 2005 and the members of the G8 expressing their support for further work on global controls on weapons exports.

The five-year review of the *United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit trade in Small Arms and Light Weapons (POA)* took place from 26 June to 7 July 2006 at the UN headquarters in New York. This review presented States with the opportunity to call for a legally-binding agreement on arms transfers such as the ATT, but unfortunately it ended without agreement on an outcome document.

On 24 July 2006, a draft resolution for negotiations to begin to establish an Arms Trade Treaty at the UN was put forward by seven governments: Argentina, Australia, Costa Rica, Finland, Japan, Kenya and the United Kingdom. The draft resolution, entitled *Effective international control over the import, export and transfer of conventional arms*, calls for the establishment of a Group of Governmental Experts, "commencing no later than 2008, to examine the feasibility, scope and draft parameters for a comprehensive, legally binding instrument establishing common international standards for the import, export and transfer of conventional arms".

Although campaigners welcome the draft resolution, they have pointed to some weaknesses. Most notably, it allows scope for claims that the ATT may not be "feasible" and that the proposed timeline, "commencing no later than 2008", lacks the necessary urgency. Some campaigners have also criticised the draft for failing to include a reference to human rights, given that the protection of human rights should be a fundamental aim of an international Arms Trade Treaty.

### **THE CRUCIAL NEXT STEP**

The resolution will be considered in the First Committee of the UN General Assembly between 2 and 31 October 2006. At least half of the 192 member States of the UN must vote in support of the resolution for it to be passed. Over 50 governments have already expressed their broad support for the negotiation of an Arms Trade Treaty.

#### **Box 1. Further Information and Resources on the ATT**

- To read more about the ATT and how it was initiated, visit: [www.armstradetreaty.org](http://www.armstradetreaty.org)
- To read more about the Control Arms campaign, visit: <http://www.controlarms.org/>
- To view the draft resolution to the First Committee of the UN General Assembly, visit: [http://www.fco.gov.uk/Files/kfile/fco\\_letter\\_DOC002\\_240706.pdf](http://www.fco.gov.uk/Files/kfile/fco_letter_DOC002_240706.pdf)
- To view NGOs' response to the proposed UN General Assembly resolution, visit: [http://www.controlarms.org/latest\\_news/attstatement-240706.htm](http://www.controlarms.org/latest_news/attstatement-240706.htm)
- To follow the progress of the ATT at the UN General Assembly, visit: <http://www.un.org/ga/61/>