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SA/LW and the Arms Trade Treaty

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The U.N. process to develop the Arms Trade Treaty began in 2006 with the adoption of General Assembly Resolution 61/80, which requested the Secretary-General form a Group of Governmental Experts to investigate the feasibility of and outline a draft of a comprehensive convention and report its findings to the 61st session of the General Assembly. The international arms trade treaty campaign led by activists, NGOs, officials and policy experts, was started years earlier, and has grown considerably since its inception. In 2008, thousands of demonstrators around the world voiced their demand for greater accountability of the world’s arms producers and exporters, and for the continued cooperation of the member states to work toward a consensus. As expected, the proposed treaty will cover transfers of a variety of conventional weapons, including small arms/light weapons.

In late October 2008, 147 nations voted in favor of moving forward with the negotiation of a comprehensive U.S.-led treaty to regulate the trade of conventional weapons worldwide. On 24 December, the General Assembly officially adopted the draft resolution, Towards an Arms Trade Treaty: Establishing Common International Standards for the Import, Export and Transfer of Conventional Arms, calling for an Open-Ended Working Group to convene annually to review the ATT at a meeting as part of the UN General Assembly session, which began 16 September 2009.

SA/LW and the Arms Trade Treaty

Despite the efforts of governments, nongovernmental organizations, and disarmament and human rights activists worldwide, the global arms trade continues to exacerbate the situation caused by conventional weapons and, in particular, small arms/light weapons. Proiferation of SA/LW not only fuels conflict, but also disrupts development in war-ravaged regions. The following article provides an overview of SA/LW control issues and remediation efforts. It also considers the progress of the international movement in support of an arms-trade treaty.

by Zach Wall and Lauren Nicole Hill  [Center for International Stabilization and Recovery]

The role of small arms and light weapons (SA/LW) has increased dramatically since the end of the Cold War. Prompted by the General Assembly, the Secretary-General formed a Group of Governmental Experts to investigate the humanitarian implications of the illicit SA/LW trade. In July 2001, the U.N. Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects was held in New York, and the participating states agreed to the Programme of Action to Prevent, Combat, and Eradicate the Illicit Trade in Small Arms and Light Weapons. The Programme of Action aims to curb illicit small-arms trafficking at the national, regional, and global levels. Since its implementation, the program has served as an important framework for preventing international illegal small arms trade.

The United Nations and Illicit Arms Trade

The issue of illegal small-arms proliferation first came under the spotlight of the United Nations during the first PoA. Prompted by the General Assembly, the Secretary-General formed a Group of Governmental Experts to investigate the humanitarian implications of the illicit SA/LW trade. In July 2001, the U.N. Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects was held in New York, and the participating states agreed to the Programme of Action to Prevent, Combat, and Eradicate the Illicit Trade in Small Arms and Light Weapons. The Programme of Action aims to curb illicit small-arms trafficking at the national, regional, and global levels. Since its implementation, the program has served as an important framework for preventing international illegal small arms trade.

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would hold states accountable for international weapons transfers, ensuring that those weapons should not be used to commit human-rights abuses, either directly or indirectly. The text of the ATT, therefore, should include stipulations about the use or likely use of arms.

Feasibility, Scope and Parameters

In December 2006, due in part to the effort of international activists, the U.N. General Assembly passed Resolution 61/89. A majority of nations (135) voted in favor of the resolution. The text of the ATT, therefore, should be consistent with the existing international human rights laws, and it should not infringe on the sovereign rights of individual states. The Group of Governmental Experts also recommended that a realistic framework should take into account issues such as terrorism, organized crime, socioeconomic development and regional stability. Furthermore, the group recommended that national annual transparency reports be written and presented to members similar to those required by the Ottawa Convention and the CCW.

2009 and Onward

Following the release of the Group of Governmental Experts report, the mobilization of international support for a second ATT resolution continued with renewed energy during the 63rd session of the U.N. General Assembly. A week of action took place 13–19 September 2008, during which disarmament campaigners from all over the world held demonstrations and urged member states to vote in favor of continuing the development of an international treaty. On 21 October 2008, days before the vote, Nobuyuki Po Po Petrov Award winner Archbishop Desmond Tutu of South Africa issued a video message urging member states to “end the slaughter” brought by the international arms trade, announcing, “All around the world, people are watching, waiting and holding you to account. They are demanding an ATT with human rights at its heart. It is down to each and every one of you to see it done.”

At the 63rd session of the U.N. General Assembly on 23 October 2008, 135 nations voted in favor of the new resolution, while one state abstained and 119 opposed. The decision demonstrated continued international support for the development and eventual implementation of the treaty. The U.N. process, which is open to all member states, will continue over the next three years with semi-annual meetings of the Open-Ended Working Group. During this phase, the Open-Ended Working Group will convene for six one-week sessions to consider the recommendations of the Group of Governmental Experts and address key concerns of the treaty’s scope and implementation. The first of these sessions took place 2–6 March 2009, in New York City, and was attended by numerous member-state representatives, including the United States. According to a statement of the U.S. representative made to the meeting, the United States is planning to be active in developing effective outcomes from the findings of the Open-Ended Working Group. However, it is still too early to determine whether the ATT continues to be actively used and for a minimum of three years. The efforts of millions of supporters across the globe have gone uncommented, and the ATT’s progress has been apparent, especially in 2008.

The ATT is likely to be an important instrument in the fight against the illicit arms trade, announcing, “All around the world, people are watching, waiting and holding you to account. They are demanding an ATT with human rights at its heart. It is down to each and every one of you to see it done.”

The discussion shows promise for effective and positive contributions to solving the problems of the illicit arms trade and SA/LW proliferation.

The second session of the Open-Ended Working Group convened in New York City in July 2009. The group presented a report of its discussions to the 64th session of the U.N. General Assembly this fall. The ATT is still in the early stages of formation and the discussions will continue for a minimum of three years. The efforts of millions of supporters across the globe have gone uncommented, and the ATT’s progress has been apparent, especially in 2008. At least one important question for the future remains and it involves the role of the United States, a global leader in SA LW remediation efforts, will play in the treaty-negotiation process. Nevertheless, the relative success of the Ottawa Convention and the adoption of the Convention on Cluster Munitions in 2008 indicate that the international community remains committed to working the war against undelivered weapons proliferation.