



Arms Trade Treaty Fact Sheet

In modern day conflicts, civilians account for more than 80% of casualties. Nearly all of these deaths are caused by small arms, many of which are illicitly acquired. The unchecked trade of conventional weapons puts guns and bullets into conflict zones, fuelling the fighting and often enabling human rights violations. Restricting the trade of conventional weapons on the black market is an imperative for human security around the globe. This would curtail violence and prevent innocent civilians from becoming victims of armed conflicts.

There is a broad global movement that seeks to ensure greater regulation of the arms trade through the creation of international standards. The idea of a multilateral Arms Trade Treaty (ATT) originated in 2003, when former Costa Rican President Oscar Arias gathered a group of Nobel Peace Prize Laureates to promote the concept to the UN. After several years, a series of UN Resolutions in the General Assembly, and sustained pressure from NGOs, the Secretary General held a consultation for member states to submit their views on the possibility of an ATT. In 2008, the UN mandated a Group of Governmental Experts to explore the feasibility and scope of an ATT.

The path forward for the creation of the ATT has been charted, and now the treaty is in the developmental stage. The first preparatory meeting was held in July 2010, and several more meetings will be held until 2012, when the treaty is scheduled to be completed.

What Will the Arms Trade Treaty Do?

The ATT will create common international standards on the import, export and transfer of conventional arms. It will stipulate that arms transfers with the substantial risk of being used to commit serious human rights abuses. It will serve to decrease the number of irresponsible arms transfers that occur globally by placing specific human rights criteria on transfers. An ATT could stand to have the greatest impact on decreasing the availability of illicitly-traded arms and preventing unnecessary civilian deaths. When the formal negotiations begin, the specific provisions of the treaty will emerge.

Why is an Arms Trade Treaty Necessary?

Although the arms trade is a legitimate economic activity that is integral to international commerce, transfers often perpetuate conflicts, violent crime, and terrorism. Of the millions of transfers that occur on an annual basis, many are legal – but many are also irresponsible. Regulating the vast arms trade is challenging because the line between legal and illicit is often unclear. For example, a weapon that was legally transferred from one state to another could become diverted and end up in the hands of rebels and used against innocent civilians.

There is existing framework of laws that regulate the arms trade, but often they are weak, inconsistent, or contradictory. Many arms embargoes go unenforced or unmonitored and most existing bilateral and international agreements on the arms trade are not legally-binding. Beyond that, there are many loopholes that are exploited time and again. Gaps and inconsistencies in current law can only be rectified through the creation of a legally-binding ATT with universal application to regulate the import, export, and transfer of arms. The proposed concept of an ATT would aim to ameliorate some of these problems and codify into law international standards for the arms trade.

U.S. Government and the Arms Trade Treaty

Although the idea of an ATT has existed for many years, the U.S. has maintained vehement opposition to any global regulation of the arms trade and acted as an obstructionist at the UN. In late 2009, the U.S. completely shifted policy and voiced its support for the treaty process. One week after Secretary of State Hillary Clinton revealed the Obama administration's support for the ATT, the UN meetings began to take shape. A resolution in the General Assembly resulted in the scheduling of the July 2010 Preparatory Committee meetings. This is but one example of the clear-cut strength of the U.S. position in pushing the ATT to process forward as well as an indicator of the importance of U.S. the presence in the talks.

In contrast to previous positions, the Obama administration's statements on the ATT are promising, although it has put forward some concerning pre-conditions that must be met for U.S. support for the drafting and ultimate signing of the treaty. While U.S. regulatory law on the arms trade is regarded as the world's gold standard, there exist many loopholes and executive overrides that are worrying. Additionally, Congress remains relatively skeptical of the ATT and is concerned that a weak ATT could buttress efforts to weaken U.S. arms export controls.

Why the U.S. Government Should Support an ATT

The ATT can only be successful with the cooperation and full support of the U.S., which controls two-thirds of the massive multibillion dollar arms trade. As the world's number one exporter of conventional arms, the U.S. is arguably the most important country to join efforts to regulate the arms trade. The U.S. is positioned to exert enormous influence negotiations and drafting. As a veto-wielding member of the Security Council, the U.S. also has the opportunity to influence the positions of the UK (a strong supporter of the ATT), France, Russia, China, which are also the five largest arms exporters in the world and in control of 80% of the arms trade. The weight of their combined interests will impact the process and outcome of the ATT.

July 2010 Preparatory Committee Meeting at the UN

In July 2010, the UN hosted the first preparatory meeting to lay the groundwork for the ATT. States gathered to express their views on various elements that could be included in the treaty, including principles, the scope of the treaty, and the criteria by which transfers should be determined. Delegates and NGO representatives left the meetings feeling generally positive about the process despite the many challenges inherent in regulating such a large and complicated commercial activity.

Citizens for Global Solutions and the Arms Trade Treaty

Arms are often the tools of war and mass atrocities, and advocating for the creation of an ATT dovetails with other issues that CGS supports, such as the prevention of genocide and the protection of civilians. Along with several other non-governmental organizations, CGS attended the 2010 Preparatory Committee meetings to learn more about the different countries' positions and gain an understanding of the key issues at stake. Although the treaty will not be drafted until 2012, playing an early role in the process was essential to ensure that countries heard the voices of organizations that want to see a strong and effective treaty. By participating, CGS was part of the first step being taken to put the ATT down on paper.

The drafting of the ATT over the next two years allows CGS to continue the tradition of advocating for multilateral treaties and pushing the U.S. to strengthen its engagement in international forums. Over the next few years, CGS will continue to advocate for the development of a universal and effective ATT with strong U.S. engagement and support. In particular, CGS strongly supports a treaty that:

- Includes all forms of munitions, in accordance with standards of international humanitarian law, such as explosives that do not distinguish between combatants and civilians and cause unnecessary suffering, such as landmines and cluster bombs
- Emphasizes strong language preventing arms transfers from taking place if there is a substantial risk of serious human rights violations occurring
- Addresses the grievances of victims through the creation of a victim's trust fund, such as in the Rome Statute of the International Criminal Court

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