



Towards an Arms Trade Treaty

The proliferation of arms is fuelling conflict, facilitating human rights abuses and violent crime, undermining development, threatening governance and increasing insecurity across the world. Given the increasing globalisation of the arms market, it is clear that the development of genuinely tough multilateral transfer controls will be a vital element in stemming this flow. **Hence, there are now growing calls from across the world to establish a legally-binding international Arms Trade Treaty (ATT), as a major step towards curbing the proliferation and misuse of arms. The UK now looks set to take a prominent role in promoting the negotiation of such a Treaty.**

Addressing the main challenges on the agenda of the international community today – bringing peace and stability in the Middle East, combating the threat of terrorism and improving development in Africa – will not be possible without controlling the spread of weapons more effectively. There is a humanitarian imperative – some estimate that as many as 300,000 people a year are killed by small arms alone. But controlling the arms trade more effectively is also a matter of self-interest. Organised crime, refugee flows and market instability are all increased by conflict and insecurity - fuelled by the ready availability of arms.

Progress on the ATT to date

The need for tougher controls on the proliferation of conventional weapons is moving up the political agenda. Three heavyweight international reports – the one last week from the Commission for Africa, the UN Secretary General's High Level Panel on Threats, Challenges and Change, and the Sachs Report on the progress towards the Millennium Development Goals – have all recently called on states to develop a legally-binding international Arms Trade Treaty. The Commission for Africa Report urged governments to open negotiations “as a matter of priority and no later than 2006”.

Over the last 18 months a number of governments have issued explicit public statements supporting the establishment of an ATT, including those of Cambodia, Costa Rica, Finland, Iceland, Kenya, Mali and New Zealand. A larger number of other governments have given indications of support for international controls on arms transfers. This larger group of states includes Brazil, Canada, Ireland, Macedonia, Mexico, Netherlands, Norway, Poland, Senegal, Slovenia and Sri Lanka.

Key elements of an ATT

For several years, NGOs from across the world have been campaigning for the establishment of a legally-binding agreement to control arms exports. Working with international lawyers, they have drafted a proposed Arms Trade Treaty based upon states' existing responsibilities and obligations under international law. This is now being put forward as a basis for discussion by governments. Under its key principles,

governments must ensure that **all arms transfers** are authorised according to the following criteria:

1. **Never** transfer:
 - Certain *types* of prohibited weapons (eg landmines and torture equipment)
 - Any weapons to *countries/groups* that are under arms embargo
2. Not transfer weapons if they will be **used** illegally:
 - Either aggressively against other nations, for serious violations of human rights or international humanitarian law, genocide or crimes against humanity
 - Or risk being diverted for the above
3. Not transfer weapons where they:
 - Will fuel violent conflict, undermine sustainable development or negatively impact on regional security
 - Risk being diverted for the above

States would also have to provide information to an international authority on the arms they transfer.

Key opportunities to build international support for the ATT in 2005

There are a number of important opportunities to further galvanise international support for the ATT in 2005 and the UK Government should lead this effort with a core group of states from North and South.

1. **The Biennial Meeting of States, July 2005:** Governments will meet at the UN to review progress in implementing the UN Programme of Action on the Illicit Trade in Small Arms. This comes one year before a formal UN Review Conference where a mandate to negotiate an ATT will hopefully be determined. We urge the UK Government to build international support for an ATT at the July meeting.
2. **The G8 Summit, July 2005:** As this year's chair, the UK government has a unique opportunity to raise the ATT within the G8. The Commission for Africa has already called for G8 governments to support the development of an ATT. The UK Government should ensure that the G8 final communiqué calls for the negotiation of an ATT based upon states' existing responsibilities under international law.
3. **EU Presidency:** Assuming the EU Presidency during the second half of 2005 will present an opportunity for the UK to raise support for the ATT within the EU. However, attempts to internationalise arms transfer controls that come *solely* from the EU could be counter-productive. The UK should, therefore, also encourage and support efforts in other regions to promote the ATT.

Saferworld is an NGO working towards the prevention of armed violence

Saferworld, The Grayston Centre, 28 Charles Square London N1 6HT, UK Tel: +44 (0) 207 324 4646
Fax: +44 (0) 207 324 4647 www.saferworld.org.uk