

Arms Trade Treaty

The State of Play and Way Forward



Shoichi Nagayoshi

Ministry of Foreign Affairs of Japan

Feb. 17, 2015

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1 Brief Introduction to the ATT

- The ATT has entered into force since December 24, 2014.
- The ATT is the first universal, legally binding agreement which regulates international trade in conventional arms.
- The objective is to set common international standards for regulating the international trade in conventional arms, and to prevent the illicit trade in conventional arms and their diversion.
- Legitimate security interests to acquire conventional arms to exercise the right to self-defense is respected.

1 Brief Introduction to the ATT

- 1) Conventional arms and existing controls
 - Conventional arms, which generally refers to weapons that are not WMD, have played an important role in ensuring public and national security.
 - But their unregulated or illicit trade have caused devastating human suffering and regional instability, and undermined development.

1 Brief Introduction to the ATT

1) Conventional arms and existing controls

1992 UN Register on Conventional Arms(UNRCA)

1996 Wassenaar Arrangement

2001 UN Programme of Action on Small Arms and Light Weapons (POA)

 **Not legally binding**

1997 OAS Inter-American Convention against the Manufacturing of and Trafficking in Firearms etc(CIFTA)

1998 EU Joint Action on SALWs(EUJA)

2002 EU Code of Conduct on Arms Exports(EUCAE)

2004 Nairobi Convention on SALWs

2006 ECOWAS Convention on SALWs

 **Not Universal**

2) ATT Process

Late 1990s: A group of Nobel Peace Laureates etc. called for a universal, legally binding agreement governing arms transfers.

2006: The ATT process started at the UN.

(2008-2009: Three(3) Government Experts meetings and Two(2) Open Ended Working group meetings were held.)

2009: The UN GA decided to convene a Conference on the Arms Trade Treaty (ATT) in 2012.

(2010-2012: Four(4) Preparatory committee meetings were held.)



2) ATT Process

2012 Jul.: The UN Conference on ATT failed to adopt the ATT text by consensus.

2012 Dec.: The UN GA voted in favor of convening the final UN conference on an ATT to take place in March 2013.

2013 Mar.: The Final UN conference failed to adopt the ATT text by consensus.

2013 Apr.: The draft ATT was put to a vote in the UN GA and 154 states voted in favor of adopting the ATT text with the 3 states opposing, and 23 abstaining.

2013 Jun.: The ATT was opened for signature.

2014 Dec.: The ATT entered into force.



(Japan's Activities during ATT Process)

- Japan and other six states, later to be identified as ATT co-authors, took the initiatives to commence the ATT process and to adopt the ATT text by submitting resolutions at UNGA in 2006 and 2013 respectively.
- Japan occupied various roles during the negotiations. At both the 2012 and 2013 Conferences, it served as Vice-Chair of the bureau, representing the Asia-Pacific Group.
- Japan hosted numerous coordination meetings with states and civil society organizations such as Control Arms.
- At the ATT High Level Meeting September 2013, Foreign Minister KISHIDA called for early entry into force and signatures/ratifications by as many countries as possible including major arms trading countries.



3) Treaty's basic obligations on States Parties

-Apply to seven offensive arms and small arms and light weapons



- Apply to the activities of the transfer (Export, Import, Transit/Trans-shipment, & Brokering)

* (Not required to apply to the international arms movement by a State Party for its use in case the ownerships of arms remain unchanged.)

- Establish a national control system

- Prohibit transfer of the above-mentioned arms and Ammunitions and Parts/Components if violating obligations under UNSC arms embargos and having knowledge that the arms would be used in the commission of genocide, crimes against humanity, and war crimes specified by this Treaty.

3) Treaty's basic obligations on States Parties

- Prevent the diversion of the conventional arms
- Regulate arms brokering and where feasible imports, transit and trans-shipment
- Assess the potential that the conventional arms/items:
 - (a) would contribute to or undermine peace and security;
 - (b) could be used for committing or facilitating international humanitarian and human rights laws, terrorism, and transnational organized crimes.

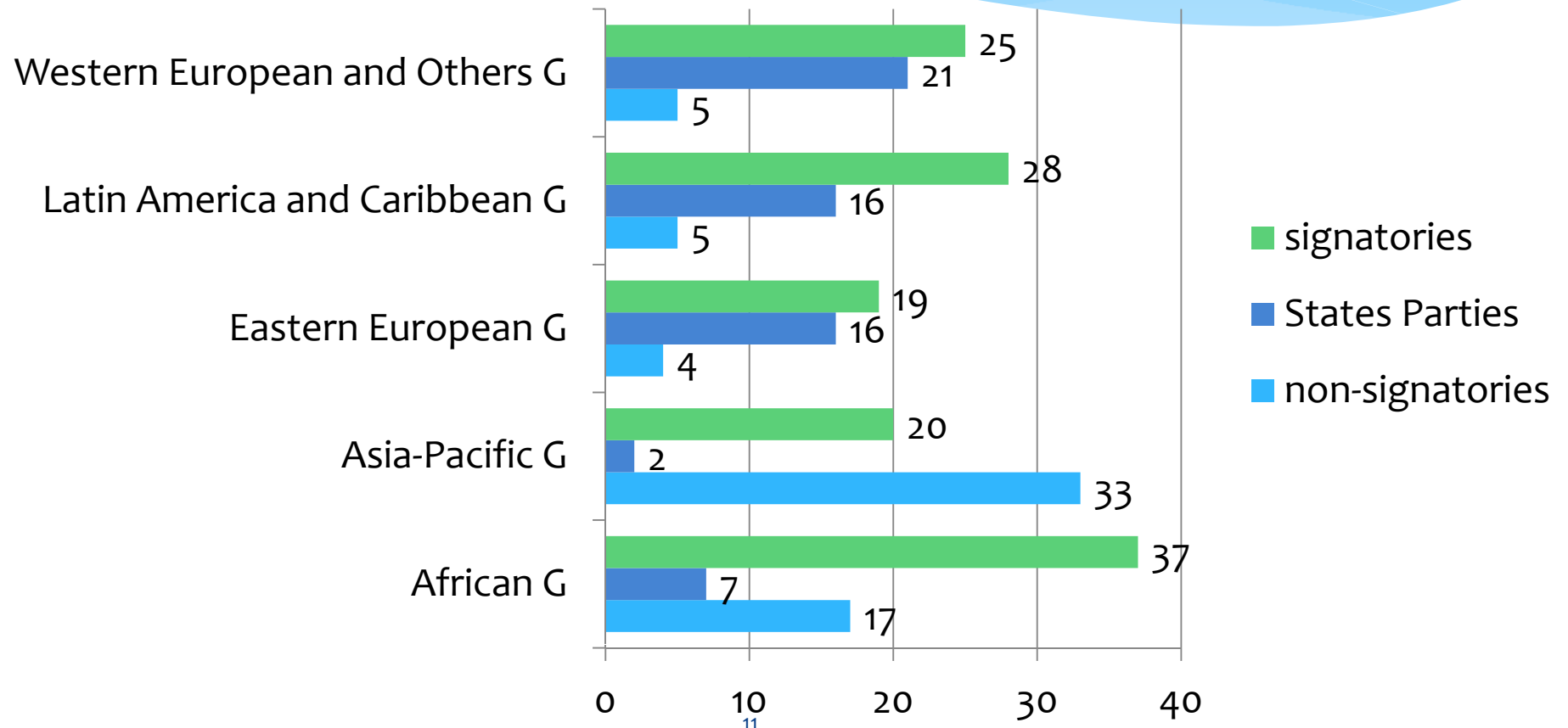
If there is an overriding risk of any of the negative consequences, export shall not be authorized.
- Submit an annual report on export and import data to the Secretariat.
- Provide international assistance (legal, capacity-building, and technical or financial assistance)

2 Status of the Treaty

130 Signatories / 62 States Parties / 64 Non-Signatories

By UN Regional Groups

(as at February 2015)



3 Importance of the ATT for Asia

- ✦ While trade in goods, flow of money and people continue to expand in Asia, regional agreements on arms transfer regulation are absent.

What benefits will the ATT provide for Asia?

- Strengthen “rule of law” in the international trade of conventional arms
- Save lives, combat crime & terrorism and prevent human rights abuses, thereby further ensuring “human security”
- Build confidence among states through reporting mechanism, which enhances transparency in arms transfer
- Uphold the legitimate trade in conventional arms as the right to self-defense is respected in the ATT

4 Way Forward

- 1st Conference of States Parties (1CSP) in Mexico in August /September 2015
 - Rules of Procedure
 - Financial Rules
 - Secretariat
 - Reporting etc

- Long-term goals
 - Universalization
 - Promotion of international cooperation & assistance for capacity building