

The Arms Trade Treaty - Including Small Arms and Light Weapons Key Components

This document outlines recommendations that would strengthen areas of the Arms Trade Treaty that have the potential to control and reduce the proliferation of small arms and light weapons and related ammunition. The inclusion of these is vital if the Arms Trade Treaty is to be effective in saving lives and reducing serious injury to people around the world.

1. Scope

Type of Weapons

The treaty should regulate transfers of all conventional arms, and in particular, small arms and light weapons and related ammunition.

Type of Transfers

The Arms Trade Treaty should apply to all international arms transfers, meaning the physical movement of arms into, or from, a national territory; and the transfer of title to and/or control over the arms. International 'transactions' should also be included such as sales, gifts, loans, leases and the foreign licensing of production of arms.

2. Criteria

"A State party shall not authorize a transfer of arms if there is, in the view of the potential transferring State, a substantial risk that those arms would..."

- Be used to perpetuate a pattern of or facilitate high levels of firearms-related homicide or serious injury
- Be used to perpetuate or facilitate high levels of gender-based violence, in particular rape and other forms of sexual violence
- OR be used to commit or facilitate violations of international human rights or humanitarian law, including sexual and gender-based violence

3. International Cooperation and Assistance

International cooperation and assistance should be an integrated part of an ATT in order to enhance implementation of the treaty's obligations and goals. Civil society and women's groups should be consulted and given the space to share their insight and experiences as well as included in capacity-building and assistance programmes.

4. Implementation

In order for the ATT to be strong and effective, it should set high standards for national systems and internal controls and a clear legal framework for brokering activities. Furthermore, the ATT should contain strong language on recordkeeping and transparency, information exchange, law enforcement and the International Support Unit (ISU), as outlined below:

Recordkeeping and transparency

The Treaty should oblige State's Parties to publish accurate, comprehensive, timely and public national reports on international transfers of conventional arms and steps taken to implement the Treaty, in order to ensure transparency and accountability, build confidence among States' Parties, and enable relevant actors, including civil society and women's groups, to assess implementation, access information and raise public awareness on these issues.

Reports should include information on exports, imports, brokering, transit, transshipment and other international transfers of conventional arms covered by the Treaty, from or to their territory including details the final importer state, quantity, type and value of conventional arms, the state of origin of the items and any intermediary locations, as well as implementation of the Treaty under national laws, regulations and administrative procedures, including relevant enforcement actions and international cooperation and assistance activities. Records should be kept for a minimum of 20 years.

States should incorporate the knowledge and experience of different civil society groups, including women's organisations, in exchanges and training programmes and initiate a more systematic approach to the gathering of sex-and-age-disaggregated data, thus facilitating more effective actions for combating violations of the Treaty.

Information Exchange with States Parties

States' Parties should be obliged to share information on authorised importers, exporters and brokers of conventional arms and ammunition, and for the purpose of law enforcement, States' Parties should exchange information on international transfer agents, brokers and other actors suspected to be involved in the illicit trade, as well as sex and age-specific data on trafficking networks, including linkages between different types of trafficking and anecdotal evidence and qualitative data.

Implementation Support Unit

An independent Treaty institution, such as an ATT ISU, should be established. In addition to other roles suggested, the ISU should:

- Conduct gender-inclusive outreach and engage civil society to increase awareness of the Treaty regime and to promote the universality of the Treaty;
- Support and guide States Parties in the production of national reports, through the development of a reporting template;
- Develop legal and administrative templates for national implementation of the Treaty;
- Promote civil society engagement and contributions to implementation of the Treaty.