

ATT – SECOND CONFERENCE OF STATES' PARTIES
EXCHANGE OF VIEWS ON THE TREATY IMPLEMENTATION

Draft Guidance for Discussion

The Arms Trade Treaty (ATT) is a unique multilateral Treaty that regulates the international trade of conventional weapons. It aims to reduce human suffering caused by illegal arms transfers, improve regional security and stability, as well as to promote accountability and transparency by States Parties concerning the transfer of these conventional arms.

One year and four months after the ATT's entry into force, the real challenge ahead lies in the effective implementation and universalization of the Treaty. Implemented effectively, the ATT will have a major positive effect on the way the arms trade operates. The ATT has set common standards and it has enshrined strict controls on the arms trade.

The Arms Trade Treaty is implemented primarily at the national level. According to the Treaty, all States Parties must establish a national system for the control of international trade of conventional arms which consists of control lists, laws, regulations and administrative procedures, reporting and enforcement mechanisms

In order to support and facilitate ATT implementation, there is also a need to strengthen meaningful reporting, information-sharing, and dialogue among States Parties on issues relevant to the application of the Treaty; facilitate co-operation among States Parties and the provision and co-ordination of appropriate assistance for implementation. Different aspects are interdependent.

Basic requirements for national implementation

The obligation to implement the Arms Trade Treaty falls not only on the exporter States but on all importing, transit and transshipment States, and in that regard all States Parties must establish or adapt their existing arms transfer control systems to fully comply with the Treaty obligations.

Although specific approaches differ from country to country, the ATT requires States Parties to adopt certain national measures to implement the Treaty. These include, but are not limited to, requirements for States Parties to have in place relevant control lists, laws, regulations, administrative procedures and enforcement capabilities that enable fulfilment of all Treaty obligations bearing in mind that each State Party shall implement this Treaty in a consistent, objective and non-discriminatory manner, taking into account the principles referred to in this Treaty.

Initial reporting to the ATT indicates that the situation in terms of national implementation varies greatly around the world. We therefore invite States Parties to make recommendations to the 2CSP as well as

to share their experiences in the implementation of this Treaty, in accordance with article 17.4. a), for example in the areas of;

- development and enhancement of control lists and regulations.
- development of capacities for implementation and improvement of national enforcement systems.
- Enhancing brokering controls.
- Legislation.
- Lessons learned in promoting inter-agency coordination and cooperation on the national implementation of the treaty, as well as at the regional level.
- Lessons learned from partnerships with civil society, think-tanks, industry, regional organizations and the UN system on the effective implementation of the ATT.
- engagement in regional /international co-operation and information-sharing on Treaty obligations and support of implementation, for example on issues of diversion or export assessment and development of the capability to produce annual reports.
- training and capacity building of relevant personnel in the application of the ATT provisions.
- any other aspect deemed relevant for the implementation of states' obligations under the ATT.

Discussions in the CSP2 are expected to have a positive impact on the implementation of the Treaty and would hopefully contribute to the universalization of the Treaty. Furthermore the discussion could help in mapping the need for possible technical assistance in the implementation of the Treaty and uncover areas that may need further elaboration in the up-coming CSPs.
