Looking Ahead: Entry into Force and the First Conference of State Parties

Current State of Play and Preparations for the Conference of State Parties in Mexico

By

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Distinguished Members of Parliament,
Ladies and Gentlemen,

First of all, I would like to thank GB-IPU for extending an invitation to the United Nations to participate in this event. I would like at the outset to bring you greetings from the High Representative for Disarmament Affairs, Ms. Angela Kane, who could not be here today due to other conflicting commitments and sends her best wishes for a productive and successful meeting.

This seminar couldn’t have been held at a better moment. At the joint deposit ceremony held in New York on 25 September, the total number of deposited ratifications of the Arms Trade Treaty crossed the mark of 50, thereby triggering the entry into force of the Treaty 90 days later. The ATT will enter into force on 24 December this year. It is therefore, both timely and important that the focus now be on the way forward for the ATT.

As you all know, the Treaty was adopted by the General Assembly with 154 States voting in favour which represents approximately 80 percent of the UN membership. Three States voted against, while 23 States abstained. As of today, the Treaty has been signed by 122 States and ratified by 54. Figures are important: if 154 voted in favour but only 122 signed, there is a gap that needs to be covered and we need to understand why these thirty States have not yet taken the decisive step to sign the Treaty. Recently, the Office for Disarmament Affairs sent a letter to those States that voted in favour of the Treaty at the General Assembly but have not signed it yet, encouraging them to do so before its entry-into-force. As you know, signing the ATT remains possible only until the moment of entry-into-force. After that, States will still be able to accede to the Treaty.

Comparing the rather slow pace for other conventions to reach the necessary number of ratification, the speed with which the ATT would enter into force is in itself a success story.

As of today, the Treaty has been signed by 122 States, from all regions; the list of signatories includes major arms exporting countries and many arms importers. The break-down of signatories per regional group is as follows:
The number of deposits of ratification which the Secretary-General has received stands at 54. This means that 68 States that have signed the Treaty are yet to ratify it. This may be due to the fact that domestic procedures to ratify the Treaty may be taking some time for some States. In other cases parliamentarians may not yet have been fully convinced of the utility of the ATT, and are not in a position to support its ratification. Be it is as it may, and despite the gaps between voting and signature, the ATT will still enter into force in a record time.

There is considerable regional unevenness in the number of States which have already deposited their instruments of ratification. The break-down per region is as follows:

- African Group: 6
- Asia-Pacific Group: 2
- Eastern European Group: 11
- Latin American and Caribbean Group: 15
- Western European and Others Group: 20

Only those that have deposited their ratification 90 days before the upcoming First Conference of States Parties will be able to participate fully as a State Party in that Conference.

The United Nations would like to acknowledge the efforts undertaken by States, international and regional organizations, and civil society to expedite ratifications and to promote early entry-into-force.

Interesting as these figures may be in pointing to the need to continue public outreach to encourage States that have considered favourably this Treaty but have not as yet signed and/or ratified it, the most immediate step after the Treaty’s entry into force is for States
Parties to decide on a number of important issues, lay the foundation and set the direction of its future implementation. In this context, a meeting has already taken place in Mexico in early September and another preparatory meeting will be held in Berlin on 27-28 November. Other governments, such as Trinidad and Tobago and Switzerland have also offered to host additional meetings –both informal and formal- as needed during 2015. These meetings are paving the way for the most important event of all: the holding of the first Conference of States Parties, or “CSP1”, which is scheduled to be held sometime between June and September of next year. The government of Mexico has generously offered to host this Conference.

Decisions to be taken at the CSP1 include the rules of procedure, which, as parliamentarians surely know, are pivotal in defining in regulating and defining the character of meetings. Consider, for instance, the question of consensus or majority vote when dealing with a decision to be taken. Also on the table in Mexico City will be issues such as the setting up of a Treaty Secretariat, and of a trust fund to assist countries with their implementation efforts.

At the most recent of these informal consultations in September, it was decided that Mexico will endeavour to bring a number of working papers to the next round of consultations, in Berlin, including a first draft of rules of procedure, a draft decision on financial rules regarding the ATT process, and a working paper on the future ATT Secretariat.

We are calling upon those States that have not yet done so to ratify the Treaty without delay, so as to enable them to fully participate in the First Conference. To do so, they may wish to ratify the Treaty at least 90 days before the start of the CSP1.

In addition to those meetings convened, informally and formally, by States, international and regional organizations are organizing conferences and seminars, such as this one, to prepare for the implementation of the ATT. Research institutions and civil society organizations are also engaged in this pursuit.

What is the UN doing to accompany this process?
The United Nations has engaged in assistance for ATT implementation – always upon request. The Office for Disarmament Affairs is finalizing an ATT Implementation Toolkit, which consists of a collection of modules that give practical guidance to States on the implementation of the ATT. The first four modules are set to be released later this month at the Berlin informal preparatory consultations.

Our three regional disarmament centres – in Lima, Peru, for Latin America and the Caribbean, in Lomé, Togo, for Africa, and in Kathmandu, Nepal, for Asia and the Pacific – have programmes on awareness-raising and concrete legislative assistance. They are also implementing partners in a multi-year European Union ATT assistance package. In September, our Lima Center has developed the first training manual on ATT implementation tailor-made for the Latin American region. The Centre also trained the first group of governmental officials and experts in Central America through a regional workshop in Costa Rica.

Another programme that we have set up, with a large group of donors, is a competitive trust facility which funds ATT and/or POA implementation related projects from NGOs, academia, regional organizations and UN agencies, namely; the UN Trust Facility Supporting Conventional Arms Regulation or “UNSCAR”. Last year, UNSCAR funded 10 projects in Asia, Latin America and Africa. This year, we have received 57 applications, which are currently undergoing careful screening. All these projects have as a basis ratification or implementation of the ATT, implementation of the POA and the study and work on the synergies between these two instruments.

Aside from these initiatives, please be assured that the United Nations stands ready to provide whatever assistance the signatories and the States Parties of the ATT need during this critical process.

Distinguished Members of Parliament,
Ladies and Gentlemen,

I will conclude with a few words on the important role of Members of Parliament.
As Parliamentarians, you are well placed to bring effective and meaningful change to your countries – and indeed to the world.

As representatives of the will of the people, you reflect diverse interests, and translate them into national laws.

Even more influential, is your role in ratifying international treaties and enacting legislation and appropriating funds to implement such treaties.

Members of Parliament have also an all-important role in holding their governments accountable and ensuring that they abide by their international obligations.

None better than you, know, without question, that problems arising from the uncontrolled spread of conventional arms directly impact millions of people around the world. The largely unregulated arms trade abets violations of international humanitarian and human rights law, engenders civilian casualties, fuels humanitarian crises and hinders all of us attaining the Millennium Development Goals.

You know that in almost all areas of world trade there are regulations that bind countries to follow agreed conduct – yet there never was a set of global rules governing the arms trade, until the ATT. In this context, the arms trade treaty, negotiated within the framework of the United Nations, is a truly historic development.

The Treaty which covers a broad range of conventional weapons—from battleships, to combat aircrafts, to missiles and small arms and light weapons— as well their ammunition and key parts and components has the potential to make a tangible positive impact on the security of so many people around the world. The ATT aims to bring more accountability, transparency and responsibility to the global arms trade, by setting common standards to guide States when making their arms transfer decisions.

The ATT does not prescribe specific, harmonized procedures that all States would have to
follow in processing arms export requests or in making their political decisions regarding the transfer of arms. It does not tell States whether or not they should engage in weapons manufacturing or trading or build up their militaries. Nor does it attempt to dictate how countries should regulate arms transfers within their borders. Each State has the sovereign right to decide upon such matters in accordance with its national interests and domestic laws.

Under the Treaty, importing countries will need to set up effective import control systems, including reliable processes and tools for certifying end users and end use and many will need considerable international assistance. But the dividends of this investment will be increased peace, security and stability, resulting in safer communities and a better environment for sustainable social and economic development. While the ATT regulates export and import, it also requires transit and trans-shipment of items covered by the Treaty to also be regulated. This will affect States with large territories and/or sizeable trans-shipment activities.

For all these reasons, the role of parliamentarians world-wide is critical to generate outreach and impulse effective, responsible implementation of this first Treaty governing the arms trade.

Progress towards making the Arms Trade Treaty a globally respected norm, will require strong and sustained support and political commitment from all concerned parties.

Members of Parliament can and should play a crucial part in allocating budgets and advocating more involvement in this issue from their governments.

The importance of this work lies in the fact that those suffering most from the poorly regulated arms trade and the proliferation of weapons are civilians. We must never forget this. I wish you the best and I thank you for the work you do to generate outreach and support for the effective implementation of the ATT.

Thank you.