The Arms Trade Treaty At a Glance

Fact Sheets & Briefs

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Summary

The Arms Trade Treaty (ATT) establishes common standards for the international trade of conventional weapons and seeks to reduce the illicit arms trade. The treaty aims to reduce human suffering caused by illegal and irresponsible arms transfers, improve regional security and stability, as well as to promote accountability and transparency by state parties concerning transfers of conventional arms. The ATT does not place restrictions on the types or quantities of arms that may be bought, sold, or possessed by states. It also does not impact a state’s domestic gun control laws or other firearm ownership policies.

After nearly two decades of advocacy and diplomacy, a UN conference was convened to negotiate the ATT in July 2012, but fell short of reaching consensus on a final text. Another two week-long conference was convened in March 2013 to complete work on the treaty. However, Iran, North Korea, and Syria blocked consensus on the final treaty text, leading treaty supporters to move it to the UN General Assembly on for approval. On April 2, 2013, the UN General Assembly endorsed the ATT by a vote of 156-3, with 23 abstentions. The treaty opened for signature on June 3, 2013, and entered into force on Dec. 23, 2014.

What the Arms Trade Treaty Does

- The Arms Trade Treaty requires all states-parties to adopt basic regulations and approval processes for the flow of weapons across international borders, establishes common international standards that must be met before arms exports are authorized, and requires annual reporting of imports and exports to a treaty secretariat. In particular, the treaty:
  - requires that states “establish and maintain a national control system, including a national control list” and “designate competent national authorities in order to have an effective and transparent national control system regulating the transfer of conventional arms”;
  - prohibits arms transfer authorizations to states if the transfer would violate “obligations under measures adopted by the United Nations Security Council acting under Chapter VII of the Charter of the United Nations, in particular arms embargoes” or under other “relevant international obligations” or if the state “has knowledge at the time of authorization that the arms or items would be used in the commission of genocide, crimes against humanity, grave breaches of the Geneva Conventions of 1949, attacks directed against civilian objects or civilians protected as such, or other war crimes”;
  - requires states to assess the potential that the arms exported would “contribute to or undermine peace and security” or could be used to commit or facilitate serious violations of international humanitarian or human rights law, acts of terrorism, or transnational organized crime; to consider measures to mitigate the risk of these violations; and, if there still remains an “overriding risk” of “negative consequences,” to “not authorize the export”;

(Read the full treaty text here)
The Arms Trade Treaty At a Glance
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- applies under Article 2(1) to all conventional arms within the seven categories of the UN Register of Conventional Arms (battle tanks, armored combat vehicles, large-caliber artillery systems, combat aircraft, attack helicopters, warships, and missiles and missile launchers) and small arms and light weapons;

- requires that states “establish and maintain a national control system to regulate the export of ammunition/munitions fired, launched or delivered by” the conventional arms listed in Article 2(1) and “parts and components...that provide the capability to assemble” the conventional arms listed in that article;

- requires each state to “take the appropriate measures, pursuant to its national laws, to regulate brokering taking place under its jurisdiction” of conventional arms covered under Article 2(1);

- requires each state to “take measures to prevent...diversion” of conventional arms covered under Article 2(1);

- requires each state to submit annually to the treaty secretariat a report of the preceding year’s “authorized or actual export and imports of conventional arms covered under Article 2(1)” and allows states to exclude “commercially sensitive or national security information”

**Basic Treaty Obligations**

To be in compliance with the ATT, states-parties must:

- establish and maintain an effective national control system for the export, import, transit, and transshippment of and brokering activities related to (all defined as “transfers” in the ATT) the eight categories of conventional arms covered by the ATT, as well as exports of related ammunition and of parts and components that are used for assembling conventional arms covered by the treaty (Articles 3, 4, and 5.2);

- establish and maintain a national control list (Article 5.3) and making it available to other states-parties (Article 5.4);

- designate competent national authorities responsible for maintaining this system (Article 5.5);

- designate at least one national contact point responsible for exchanging information related to the implementation of the ATT (Article 5.6);

- prohibit transfers of conventional arms, ammunition, or parts and components for the eight categories of conventional arms covered by the ATT that would violate obligations under Chapter VII of the UN Charter or international agreements relating to the transfer or illicit trafficking of conventional arms or where there is knowledge that the items will be used in the commission of genocide, crimes against humanity, grave breaches of the Geneva Conventions of 1949, or other war crimes (Article 6);

- review applications for exports of the eight categories of conventional arms covered by the treaty and conducting a national export assessment on the risk that the exported arms could have “negative consequences” for peace, security, and human rights, denying an arms export if the assessment determines that there is an overriding risk that the exported arms will be used to commit or facilitate a serious violation of international humanitarian or human rights law or offenses under international conventions or protocols relating to terrorism or international organized crime and taking into account the risk of the exported arms being used to commit or facilitate serious acts of gender-based violence or violence against women and children (Article 7);

- take measures to regulate conventional arms imports (Article 8);
• when importing conventional arms, provide information to assist the exporting state-party in conducting its national export assessment, including by providing documentation on the end use or end user (Article 8);
• take measures, where necessary and feasible, to regulate the transit and transshipment of conventional arms (Article 9);
• take measures to regulate brokering taking place under its jurisdiction (Article 10);
• take measures, including risk assessments, mitigation measures, cooperation, and information sharing, to prevent the diversion of conventional arms to the illicit market or for unauthorized end use and end users (Article 11);
• maintain national records for each export authorization or delivery of conventional arms for at least 10 years (Article 12);
• provide annual reports to the secretariat on export and import authorizations or deliveries of conventional arms to be distributed to states-parties (Article 13);
• take appropriate measures to enforce national laws and regulations to implement the treaty (Article 14); and
• cooperate with other states-parties in order to implement the ATT effectively (Article 15).

Timeline of treaty negotiations

October 1995: Dr. Oscar Arias calls upon fellow Noble Laureates to promote an international agreement regulating the trade in conventional arms.


October 18, 2006 - UN General Assembly passes Resolution 61/89 with 153 votes. The resolution instructs UN Secretary General to undertake an exploration for a future arms trade treaty. The United States votes against the resolution, the only country to do so.

September 2007: The UN Secretary General appoints a group of government experts to examine the “feasibility, scope and draft parameters for a comprehensive, legally binding instrument for the import, export and transfer of conventional arms.”

December 2008: The UN General Assembly (Res. 63/240) endorses the report and convened an Open-Ended Working Group to provide a more public forum for further discussion of these and other substantive issues.

October 14, 2009: U.S. Secretary of State Hillary Rodham Clinton announces that the United States will support the arms trade treaty negotiation process, and would vote in favor of a General Assembly Resolution creating a treaty conference.

December 2009: The UN General Assembly adopts Resolution 64/48, establishing a treaty negotiating conference to be held in 2012 to draft the text of a legally binding arms trade treaty. The resolution also mandates all treaty negotiations will conducted on the basis of consensus.

July 2-27, 2012: ATT negotiating conference meets for four consecutive weeks in New York. The conference participants fail to reach consensus on a final treaty text.

November 2012: The UN General Assembly overwhelmingly passes a resolution mandating that a second ATT negotiating conference be convened in March 2013.

March 18-28, 2013: The second ATT negotiating conference convenes. A final treaty text is agreed upon. The treaty is blocked from consensus approval by Iran, North Korea, and Syria. A group of 90
countries, including the United States, push the treaty forward to the UN General Assembly for adoption.

April 3, 2013: The UN General Assembly adopts the Arms Trade Treaty by a vote of 153-3, with 22 abstentions.

June 3, 2013: The ATT opens for signature. Sixty-seven countries sign on the treaty’s opening day.

September 23, 2013: The United States becomes the 91st state to sign the ATT.

December 24, 2014: The ATT enters into force, 90 days after the date of the 50th ratification.

August 24-27, 2015: The first Conference of States-Parties for the ATT is held in Cancun, Mexico.

- Updated by Shervin Taheran

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