The ongoing conflict in Syria-like recent wars in Burma, Congo, Liberia, Sudan, and Sierra Leone-underscores the urgent need for common standards for international transfers of conventional weapons and ammunition, as well as legally-binding requirements for all states to review exports and imports--particularly for arms transfers that could lead to human rights abuses or violate international arms embargoes.

While the United States and a few other countries have relatively tough regulations governing the trade of weapons, many countries have weak or ineffective regulations, if they have any at all.

The patchwork of national laws, combined with the absence of clear international standards for arms transfers, increases the availability of weapons in conflict zones. Irresponsible arms suppliers and brokers can exploit these conditions to sell weapons to unscrupulous governments, criminals, and insurgents, including those fighting U.S. troops.

For example, in 2010 Italian authorities revealed that the Italy-based smuggling ring of Alessandro Bon sent multiple shipments of military sniper scopes and other military goods via a Romanian front company through Dubai to Iran in violation of a UN arms embargo. This equipment, in turn, found its way into the hands of insurgents fighting NATO forces in Afghanistan.

In response to this global problem, U.S. diplomats and representatives from some 190 countries are meeting at the United Nations to hammer out a legally-binding, global Arms Trade Treaty (ATT) by July 27. The treaty would address all types of conventional weapons transfers, from naval ships and attack helicopters to small arms and light weapons.

The Arms Trade Treaty won't stop all illicit international arms transfers, but it is a common sense effort that can improve U.S. and global security because it can help reduce irresponsible international arms transfers and hold arms suppliers more accountable for their actions.

Second Amendment Nonsense

Unfortunately, the National Rifle Association (NRA) and some of its allies are engaging in a misleading lobbying effort alleging that the still-to-be-negotiated treaty will clash with legal firearms possession in the United States. It won't.

The ATT will only apply to international export, import, and transfer of conventional weapons. Nevertheless, the NRA's executive vice-president Wayne LaPierre spoke today before a nearly empty hall at the UN and tried to argue that the treaty will regulate or even deny domestic gun-ownership by U.S. citizens and undermine the Second Amendment of the U.S. Constitution.
This follows months of misleading lobbying efforts in Washington, D.C. A statement posted in March on the NRA's Institute for Legislative Action Web site characterized attempts to draft the ATT as "insidious efforts to use supranational authority to destroy our nationally-recognized and protected right."

The NRA's chief lobbyist, Chris Cox, wrote a July 2 op-ed for The Daily Caller alleging that the ATT "could seriously restrict your freedom to own, purchase and carry a firearm."

That's wrong and the NRA knows it. The regulation or registration of domestic gun ownership is clearly outside the scope of the treaty.

The UN Conference on the Arms Trade Treaty currently underway was established by UN Resolution 64/48 in 2009. The resolution, which establishes the framework for negotiations, explicitly acknowledges "the right of States to regulate internal transfers of arms and national ownership, including through national constitutional protections on private ownership, exclusively within their territory."

The NRA also ignores the fact that the Obama administration has repeatedly stated that it opposes any infringement on national arms transfer and ownership.

The Department of State Web site lists "Key U.S. Red Lines" on the ATT, including:

- upholding of the Second Amendment;
- no restrictions on civilian possession or trade of firearms, and
- no dilution of sovereign control over issues involving the private acquisition, ownership, or possession of firearms.

Furthermore, the Obama administration succeeded in getting other states to agree that the UN conference can only produce an Arms Trade Treaty text on the basis of consensus, which allows the United States to prevent it from crossing any of its "red lines."

As Galen Carey, Director of Government Relations for the National Association for Evangelicals summed it up at a June 26 briefing for reporters: "Some critics claim--wrongly, in my view--that an Arms Trade Treaty would threaten our second amendment rights. In fact, the framework for the treaty negotiations specifically excludes any restrictions on domestic gun sales or ownership. This issue is a red herring."

Mischaracterizing U.S. Senate Views

LaPierre also claimed today in his address at the UN that: "already 58 Senators have objected to any treaty that includes civilian arms."

That's a distortion of two separate July 2011 letters from Senators on the ATT.

A letter authored by Sen. Jerry Moran (R-Kansas) and signed by 44 other Senators to President Barack Obama "... encourages your administration to uphold our country's constitutional protections of civilian firearms ownership."

The 45 Senators who signed the Moran letter don't say they will oppose a treaty that includes the undefined term, "civilian firearms," they say: "... we will oppose ratification of an Arms Trade Treaty ... that in any way restricts the rights of law-abiding U.S. citizens to manufacture, assemble, possess, transfer or purchase firearms, ammunition, and related items."

A separate July 16, 2011 letter authored by Sen. Jon Tester (D-Montana) and signed by 12 other Democratic Senators actually expresses support for the ATT. They write: "We support efforts to better regulate the international trade of conventional weapons .... We should not allow the unregulated trade of these weapons to continue fueling conflict and instability in nations around the world." Their concern is simply that "the Arms Trade Treaty must not in any way regulate the
The Senators' concerns about private gun possession are unfounded because the ATT will not regulate and would not affect domestic gun ownership rights and regulation and the Obama administration has made it clear it will not support a treaty that would.

Fox News Questions LaPierre's Claims

In a July 5 interview on Fox News, the NRA's Wayne LaPierre went so far as to say that the proposed treaty "says to people in the United States turn over your personal protection and your firearms to the government, and the government will protect you."

Fox News anchor Megyn Kelly reminded LaPierre that the treaty is about "global arms sales" not "domestic sales." She reminded the viewers that, "...the administration has said we support this but it doesn't infringe on our Second Amendment rights here. As a practical matter you tell us, to gun owners watching this program right now, what would it mean for them?"

LaPierre went on to make the incredible claim that: "Right now it would affect every handgun, rifle and shotgun American citizens own."

Kelly asked: "How?"

In response, LaPierre suggested that: "It sets up global agencies, data centers, tracking, monitoring, surveillance, supervision, it institutionalizes the whole UN gun plan within the bureaucracy of the United Nations with a permanent funding mechanism."

In reality, the ATT would require individual governments to set up national systems to review and license imports and exports of conventional weapons--not internal arms transfers or arms registration.

Nor would the ATT set up a "global agency." In the view of the vast majority of states--including the United States--the treaty would establish an "implementation support unit" consisting of no more than 3-4 persons and they would be directed by the member states of the treaty, not the UN. This small unit would be funded out of the UN's general budget.

It's not surprising that LaPierre could not back up his claim that the ATT "would affect every handgun, rifle, and shotgun American citizens own" with any specific facts--because the allegation that ATT poses a threat to U.S. Second Amendment rights is not grounded in reality.

What explains all the hyperbole? In his Fox News appearance, Mr. LaPierre provided a clue. He said: "I hope everyone joins the NRA as an act of defiance against this UN plan."

In other words, the NRA's false claim that the ATT threatens the legal rights of U.S. citizens to possess firearms may really just be a cynical ploy designed to funnel more donations to the already wealthy organization.

The "More Guns to Sudan" Argument

NRA lobbyist Chris Cox makes the Orwellian argument in his July 2 oped that the ATT would undermine the security of civilians in Sudan threatened by the authoritarian regime in Khartoum.

Cox writes that the government officials negotiating the ATT "... ought to see how far their gun-confiscation agenda resonates with hundreds of thousands of defenseless Sudanese men, women and children who live in constant fear of being beaten, raped, sold into slavery or murdered."

In reality, the ATT is not a gun confiscation plan, and the ATT has the support of influential Sudanese leaders who have their people's best interests in mind and the experience to understand what works and what doesn't in their country. One such individual is Bishop Elias Taban, the President of the Sudan Evangelical Alliance, who was once forced to become a child soldier in the Sudanese
The Arms Trade Treaty and the NRA's Misleading Rhetoric
Published on Arms Control Association (https://www.armscontrol.org)

Liberation Movement.

In a July 10 interview with The Christian Post, Taban explained that in Sudan "in most cases even if you have weapons you will not be able to defend yourself."

The problem in the Dafur and Nuba mountains region of Sudan is that the population is under assault from the government's overwhelming firepower, which consists of tanks, artillery, armored personnel carriers, machine guns, military aircraft, helicopters, and bombs, all of which is supplied by weapons manufacturers in Belarus, China, and Russia.

Galen Carey, who served for over 25 years as an overseas missionary in Mozambique, Croatia, Kenya, Indonesia and Burundi noted that "As Christians, as humanitarians who support evangelical work, we try and make sure that supplies and weapons do not fall into the wrong hands."

"When we lived in Burundi, we actually were at a Bible study when the town was shelled by rebels who had taken control of some of the hills outside the town, and so there were shells landing all around us. So it is not only just local people, but also missionaries and humanitarian workers and even military who are threatened by this loose control of weapon."

Carey says he believes that it is perfectly legitimate for the government to use weapons for self-defense and to keep the peace, but not to wreak violence and harm others.

The purpose of the Arms Trade Treaty is to make it harder for unscrupulous government suppliers and arms brokers to transfer conventional weapons and ammunition across international borders in violation of international arms embargoes and to governments committing human rights abuses and to criminal gangs and terrorists.

The Small Arms and Light Weapons Issue

The one serious issue raised by the NRA, as well as some members of Congress, is whether the ATT negotiators should include small arms and light weapons within the scope of the treaty.

The NRA's misplaced fear that the ATT will affect "civilian" firearms has led them to suggest excluding small arms and light weapons from the treaty. Some members of Congress have expressed concerns that by including small arms and light weapons in the treaty, it becomes "too broad" and is therefore unenforceable.

This argument ignores the fact that the U.S. government already controls the export and import of small arms and light weapons and their ammunition. It is in the interest of the United States to ensure that other states are required to follow similar practices.

Today, only 90 countries report having basic regulations on the international transfer of small arms and light weapons. Only 56 countries control arms brokers and only 25 have criminal penalties associated with illicit brokering.

That is why the Obama administration--and the vast majority of other states--is on record in support of including small arms and light weapons in the scope of the treaty.

Furthermore, illicit transfers of small arms and light weapons are a big part of the problem that demands action by responsible states. The British government estimates that at least 400,000 people are killed by illegal small arms and light weapons each year.

The only states joining the NRA in opposition to including small arms and light weapons are a few not so honorable arms exporters and importers--China, Egypt, Ethiopia, Iran, and Venezuela--who would rather be able to continue to sell and buy conventional weapons without common-sense global standards.

The Bottom Line
Allegations that an ATT would infringe on the right of U.S. citizens to legally possess firearms amount to irresponsible demagoguery. No one, except maybe illicit arms dealers and human rights abusers, should oppose common-sense international standards for regulating the global arms trade.--DARYL G. KIMBALL AND WYATT HOFFMAN

Additional Resources

- "Positions for the United States in the Upcoming Arms Trade Treaty Conference," remarks by Thomas Countryman, Assistant Secretary, Bureau of International Security and Nonproliferation, April 16, 2012

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The [Arms Control Association](https://www.armscontrol.org/) (ACA) is an independent, membership-based organization dedicated to providing information and practical policy solutions to address the dangers posed by the world's most dangerous weapons. ACA publishes the monthly journal, *Arms Control Today*.

- [Daryl G. Kimball](https://www.armscontrol.org/issue-briefs/2012-07/arms-trade-treaty-nras-misleading-rhetoric)
- [Conventional Arms Control and Trade](https://www.armscontrol.org/issue-briefs/2012-07/arms-trade-treaty-nras-misleading-rhetoric)
- [Treaties and Agreements](https://www.armscontrol.org/issue-briefs/2012-07/arms-trade-treaty-nras-misleading-rhetoric)

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