

SALW and Ammunition - 12-23 July 2010 ATT PREPCOM

Find below a summary of references to SALW and Ammunition by States during the ATT Prepcom 12-23 July 2010.

STATEMENTS:

From written statements (statements posted on the UN website):

<http://www.un.org/disarmament/convarms/ATTPrepCom/Statements.html>

Australia (on behalf of the Pacific Island Countries) “The Pacific region has experienced its share of arms-related violence, insecurity and instability. Island States have taken their own regional and national initiatives in an effort to address the root causes of illicit trafficking in small arms and light weapons, and believe these efforts can be further strengthened and reinforced through an Arms Trade Treaty.”

<http://www.un.org/disarmament/convarms/ATTPrepCom/Documents/Statements-MS/2010-07-13/13072010-Australia-PacificIslandCountries-E.pdf>

Australia: “First, the Arms Trade Treaty must clearly define the arms and activities that fall within the scope of the Treaty. In relation to arms, Australia supports the inclusion of the categories of arms already mentioned in statements made by many delegations in this forum, such as the categories in the UN Conventional Arms Register, as well as small arms and light weapons, conventional arms components and ammunition.”

<http://www.un.org/disarmament/convarms/ATTPrepCom/Documents/Statements-MS/2010-07-13/13072010-Australia-E.PDF>

Austria: “*Inclusive* also in the sense that an ATT must include all forms of conventional weapons and related technology as well as their parts, components and ammunition..”

<http://www.un.org/disarmament/convarms/ATTPrepCom/Documents/Statements-MS/2010-07-12/12072010-Austria-E.PDF>

Bangladesh: “ATT should cover the import, export, transit and trans-shipment and brokerage of all conventional arms including:

- Heavy weapons;
- Small arms and light weapons;
- Parts and components of the aforementioned;
- Munitions, including ammunition and explosives;
- Technology used in manufacturing conventional arms;,,,,”

<http://www.un.org/disarmament/convarms/ATTPrepCom/Documents/Statements-MS/2010-07-13/13072010-Bangladesh-E.PDF>

Belgium (on behalf of the European Union) “The scope of the Arms Trade Treaty should also include the following additional categories:

- small arms and light weapons
- explosives, specifically designed or modified for military purposes and clearly defined;
- ammunition for the above-mentioned categories of weapons,

<http://www.un.org/disarmament/convarms/ATTPrepCom/Documents/Statements-MS/2010-07-15/15072010-Belgium-EU-3-E.PDF>

Brazil: “Brazil is in favor of an international legally binding instrument that disciplines the licit trade of conventional weapons, small arms and light weapons and their ammunition without interfering with the right of States to manufacture, import, export, transfer and retain such weapons and ammunition for individual or collective self-defence purposes, in accordance with Article 51 of the Charter of the United Nations. In Brazil’s view, this instrument shall also provide the international community with efficient tools to prevent, combat and eradicate the illicit trade in conventional weapons and small arms and light weapons and their ammunition. We consider that a future ATT shall contain a strict requirement that all transfers of conventional arms and small arms and light weapons must be expressly authorized by competent governmental authorities of the importing State, as well as a clear prohibition of transfers to unauthorized non-State actors.”

“Universality would also be a crucial aspect for an ATT’s effectiveness, so as to prevent that important trade flows of conventional arms, small arms and light weapons and their ammunition continue to exist without proper regulation. Regarding the scope of an ATT, Brazil continues to advocate for an instrument that applies to the seven categories of the United Nations Register of Conventional Arms, as well as to small arms and light weapons and their ammunition. We note, with satisfaction, that this “7+1+1” basis enjoys the support of a large number of delegations.”

“In Brazil’s view, while a future ATT should provide a comprehensive international legal framework for the regulation of the trade in conventional arms, in small arms and light weapons and their ammunition, as well as for the prevention, combat and eradication of their illicit trafficking, we consider the application and enforcement of controls over transactions in such weapons and ammunition to be a responsibility of States. Therefore, our discussions on a future ATT must take into account the need to include procedural-administrative provisions with a view to preventing, combating and eradicating the illicit trade in such weapons, including measures related to international cooperation and assistance for capacity-building.

In this context, the instrument should include an obligation to adopt national implementation measures, in particular an adequate system of national laws and/or regulations and administrative procedures to exercise effective control over armaments and the export, import and transfer of conventional arms, small arms and light weapons and their ammunition. Such measures should include: The obligation to ensure that all newly-manufactured small arms and light weapons, as well as all small arms and light weapons to be subject to an international transfer, are marked in accordance with the provisions of the International Tracing Instrument, and/or the Firearms Protocol of the Palermo Convention against Transnational Organized Crime. In Brazil's view, a future ATT would have three purposes: First, to regulate the licit trade of conventional weapons, small arms and light weapons and their ammunition. It must be clear, however, that this should occur without interfering with the right of States to manufacture, import, export, transfer and retain such weapons and ammunition for individual or collective self-defence purposes, in accordance with Article 51 of the UN Charter.

The second purpose would be to prevent, combat and eradicate the illicit trade in conventional arms, small arms and light weapons and their ammunition. Third and finally, an ATT would have the purpose of promoting and facilitating cooperation among States Parties to prevent, combat and eradicate the illicit trade in conventional weapons, small arms and light weapons and their ammunition. “

<http://www.un.org/disarmament/convarms/ATTPrepCom/Documents/Statements-MS/2010-07-12/12072010-Brasil-E.PDF>

<http://www.un.org/disarmament/convarms/ATTPrepCom/Documents/Statements-MS/2010-07-13/13072010-Brazil-Rev-E.pdf>

<http://www.un.org/disarmament/convarms/ATTPrepCom/Documents/Statements-MS/2010-07-16/16-07-2010-Brazil-E.pdf>

Colombia: recalled in its intervention its understanding that all international legally binding instruments regulating Conventional Weapons must include SALW as part of their scope.

Colombia made references to the need of the Adoption of general measures for the improvement of control, and the establishment of control measures and follow of all conventional weapons, including SALW. The need of a set of measures and procedures for the management, stockpiling and disposition of all Conventional Weapons including SALW. And finally, the importance of improving controls to prevent corrupt practices in dealing with transfers of all conventional weapons.

<http://www.un.org/disarmament/convarms/ATTPrepCom/Documents/Statements-MS/2010-07-13/13072010-Colombia-S.PDF>

Costa Rica: stressed the need of control all kind of weapons within the scope of the ATT. And related those controls with a set of principles that promotes the reduction of military expenditure for the promotion of development; the respect for IHR Law and IHL, and the need to assess the risk avoid corrupt practices involving arms transactions.

<http://www.un.org/disarmament/convarms/ATTPrepCom/Documents/Statements-MS/2010-07-13/13072010-CostaRica-S.pdf>

Iraq: “We propose also that the treaty includes prohibition of the production, manufacturing, selling, possession and use of the silencers of the small and light weapons because of the real threats of the civil life.”

<http://www.un.org/disarmament/convarms/ATTPrepCom/Documents/Statements-MS/2010-07-19/19072010-Iraq-A.pdf>

Kenya: “We recognize the importance of existing regional agreement and initiatives on arms control including the Nairobi Protocol for the prevention, Control and reduction of small arms and light weapons in the Great Lakes Region and the Horn Africa: the ECOWAS Convention on small arms and light weapons, their ammunition and other related materials, the SADC Protocol on the control of firearms, ammunition and other related materials and the Bamako declaration on Africa Common Position on the Illicit proliferation, circulation and trafficking in small arms and light weapons. In all these agreements, we have excellent elements that clearly could inform a global arms trade treaty.”

<http://www.un.org/disarmament/convarms/ATTPrepCom/Documents/Statements-MS/2010-07-13/13072010-Kenya-E.pdf>

Libya: “there is no doubt that the illicit trade including small arms and light weapons is considered one of the most complicated and dangerous issues threatening the security, the stability and the welfare of people as thousands of people are its victim annually, as well as the direct impact on the economic growth and development. [...] it is important to separate the scope of small arms and light weapons and separate the ammunition subject from both subjects according to the international precedents in the matter”.

<http://www.un.org/disarmament/convarms/ATTPrepCom/Documents/Statements-MS/2010-07-12/12072010-Libya-A.PDF>

México: called for a strong ATT covering all kind of conventional weapons, in particular SALW, its parts and ammunitions. The ATT should prevent transfers that may violate IHL and IHR law. Promote of Transparency, and to prevent diversion to non authorized users or for uses not authorized.

<http://www.un.org/disarmament/convarms/ATTPrepCom/Documents/Statements-MS/2010-07-14/14072010-Mexico-S.pdf>

Mongolia “We are of the view that an ATT should cover all conventional arms, small arms and light weapons, and ammunition. We are hopeful that the PrepCom will help advance the negotiations on the scope of the treaty

concerning equipment and activities to enable the delegations to hold a successful conference two years from now.”

<http://www.un.org/disarmament/convarms/ATTPrepCom/Documents/Statements-MS/2010-07-13/13072010-Mongolia-E.pdf>

Morocco My country is located in two troubled regions that pay a high toll because of illicit trafficking of Small and Light Weapons. Africa and the Middle East face tremendous security challenges which makes it all the more important that an ATT comes to fruition in the earliest times possible.”

<http://www.un.org/disarmament/convarms/ATTPrepCom/Documents/Statements-MS/2010-07-14/14072010-Morocco-E.pdf>

Nigeria: “Nigeria has always been an ardent proponent of a legally binding instrument to regulate the transfer of conventional weapons. In terms of historical perspective, it may be reasonable to date the most recent UN direct effort at regulating conventional arms transfer within a treaty framework to the 2001 United Nations conference on the Illicit Trade in Small Arms and Light weapons in All Its Aspects, which unanimously adopted the programme of Action (PoA.) to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects.” “Nigeria, with fifty years of commitment and active participation in UN peace-support operations' has observed that most of the victims of SALWs are women, children and the vulnerable group, found mostly in Africa and developing countries of the world, and that the weapons utilized in perpetrating these activities are illicit.”

<http://www.un.org/disarmament/convarms/ATTPrepCom/Documents/Statements-MS/2010-07-12/12072010-Nigeria-E.PDF>

Philippines “Another matter that should be accorded serious consideration by the Preparatory Committee is the need to arrive at a clear, detailed and standardized definition of conventional weapons. The Philippines believes that the scope of the Arms Trade Treaty should encompass the seven categories covered by the UN Register of Conventional Arms as well as Small Arms and Light Weapons in view of their transshipment, brokering, licensing and transfer of these arms should be included within the coverage of an Arms Trade Treaty.”

<http://www.un.org/disarmament/convarms/ATTPrepCom/Documents/Statements-MS/2010-07-13/13072010-Philippines-E.pdf>

Russian Federation: “None would argue that illegal transactions mostly deal with SALW and for much lesser extent with other categories of weapons. It is hard to imagine a warplane, a ballistic missile or a battle ship traded in the “blackmarket”. Therefore, inclusion of SALW in the scope looks rather apparent. As for other categories, it is reasonable to have further discussion and, if necessary in order to make a better judgment, to conduct a thorough analysis. Besides, we need to bear in mind one more point. The broader and more detailed scope and parameters will only complicate our way to consensus. So to

make a truly efficient and useful document we need to find a reasonable balance to this regard. To do so, we need first to agree on goals and objectives.”

<http://www.un.org/disarmament/convarms/ATTPrepCom/Documents/Statements-MS/2010-07-15/15072010-RussianFederation-2-E.PDF>

Sierra Leone “Sierra Leone is a signatory to the ECOWAS convention of small arms and light weapons. In keeping with this commitment, Sierra Leone on the 22nd June 2010 enacted the national commission on small arms and light weapons. As early as 2003 Sierra Leone also established the parliamentary network on small arms and light weapons and have participated with national and international NGOs and conferences working on and related to small arms and light weapons. As a beneficiary of the world’s largest peace keeping mission, Sierra Leone is of the belief that this arms trade treaty is over due and should no longer be delayed due to the failure of some states to ratify the small arms and light weapons convention.

<http://www.un.org/disarmament/convarms/ATTPrepCom/Documents/Statements-MS/2010-07-13/13072010-SierraLeone-E.pdf>

Singapore: “Our delegation also called for thematic continuity from the two Open-ended Working Group meetings to this Preparatory Committee, so that important progress made, including discussions on the, '7+' arrangement. ,i.e., the 7 categories of the UN Register of Conventional Arms, plus Small Arms and Light Weapons, can be carried forward.”

<http://www.un.org/disarmament/convarms/ATTPrepCom/Documents/Statements-MS/2010-07-12/12072010-Singapore-E.PDF>

Switzerland : "My delegation calls for a legally binding and comprehensive treaty, with clear and effective criteria, covering ALL conventional weapons in the Register of Conventional Arms l'ONU (UNROCA), small arms and light weapons, ammunition, military explosives and related technology "

<http://www.un.org/disarmament/convarms/ATTPrepCom/Documents/Statements-MS/2010-07-12/12072010-Switzerland-E.PDF>

“Switzerland supports a comprehensive Arms Trade Treaty. Therefore the Treaty should at least cover the seven categories of the UN Register of Conventional Arms, Small Arms and Light Weapons, ammunition, military explosives, individual components and assembly packages as well as the relevant technology for the aforementioned goods. At a later stage, additional categories of arms should be covered by the future ATT.”

<http://www.un.org/disarmament/convarms/ATTPrepCom/Documents/Statements-MS/2010-07-13/13072010-Switzerland-E..pdf>

Tanzania: “Nuclear, Chemical and Biological weapons are without doubt classified as Weapons of Mass Destruction. However, in the post World War II epoch humanity has witnessed genocide in Rwanda in 1994, massive killing in Bosnia and. Herzegovina in 1995 as well as in Somalia to date. None of the sad

events can be attributed to the WMD hitherto mentioned. The killings were clone largely with Small Arms and Light Weapons! (SALWs). There are many other violent killings done world-wide at unprecedented scale, using SALWs. The United Nations, the International Community and Arms manufacturers or vendors can neither deny that those sad events happened nor turn a blind eye to the fact that SALWs were used in actualizing them. Unfortunately, lives once lost cannot be recovered. An Arms Trade Treaty that will include regulation of trade and all related transactions in SALWs and other weapons should provide hope to the entire humanity for peace, security and prosperity. In that regard my, delegation calls upon all nations, groups and individuals of goodwill to conclude a comprehensive Arms Trade Treaty”

<http://www.un.org/disarmament/convarms/ATTPrepCom/Documents/Statements-MS/2010-07-12/12072010-Tanzania-E.PDF>

Uruguay “In relation to the specific scope of the ATT, Uruguay believes that the ATT should contemplate the seven categories established by the United Nations Registry of Conventional Arms, the small and light weapons and their ammunition, in other words, the formula known as “7 + 1 + 1”. Fortunately, my delegation is able to announce that this formula is gradually gaining effect.”

<http://www.un.org/disarmament/convarms/ATTPrepCom/Documents/Statements-MS/2010-07-14/14072010-Uruguay-E.pdf>

Venezuela: waived over the inclusion or not of SALW, stressing that any mention to SALW within the scope of the ATT should be in clear accordance to the PoA and the ITI.

<http://www.un.org/disarmament/convarms/ATTPrepCom/Documents/Statements-MS/2010-07-16/16072010-Venezuela-S.pdf>

Joint Statement (Argentina, Chile, Colombia, Guatemala, Jamaica, Mexico, Peru, Trinidad& Tobago and Uruguay): “In ATT should be flexible to cover all types of conventional weapons (regardless of their purpose), including small arms and light weapons, ammunition, components, parts, technology and related materials hence permitting the development of the concept” conventional arms, together the future with technological development of the armaments industry. A general definition that includes all arms that are not of a nuclear, chemical or biological nature could provide the flexibility needed and avoid lengthy negotiations on specific definition that can quickly become absolute.”

<http://www.un.org/disarmament/convarms/ATTPrepCom/Documents/Statements-MS/2010-07-21/21072010-JointStatement-E.PDF>

ECOWAS “the Economic Community of West African States wishes to contribute to the ongoing discussions by submitting what it believes should be included as substantive elements of the ATT. This submission is derived from our experience in the implementation of the ECOWAS Convention on SALW, their Ammunition and other Materials which contains a set of guiding principles and mechanisms for an effective control of SALW transfer in the region.

As for its scope, the ATT should cover the seven categories of the UN Conventional Arms Register, Small Arms and Light Weapons(SALW) and Ammunition. The activities to be covered should include among others brokering as well as transfer, the latter being defined in a comprehensive way to include import, export, transit, transshipment and transport or any movement of arms from or through the territory of a State.”

<http://www.un.org/disarmament/convarms/ATTPrepCom/Documents/Statements-MS/2010-07-14/14072010-ECOWAS-E.pdf>

ICRC “The view of the ICRC is that all convention weapons, including small arms and light weapons, and ammunitions should be included in the scope of an Arms Trade Treaty. An Arms Trade Treaty that aims to reduce human suffering should therefore cover all types of transfers of all conventional arms.”

<http://www.un.org/disarmament/convarms/ATTPrepCom/Documents/Statements-MS/2010-07-14/14072010-ICRC-E.PDF>

Facilitator’s Summary on Scope

3. During the debate on arms and related items, a large number of States supported the inclusion of the seven categories of the UN Register of Conventional Arms. Despite the fact that many States also voiced support for the inclusion of small arms and light weapons (SALW) in the scope of a Treaty (the so-called 7+1 configuration), concern was expressed by other States regarding the inclusion of this weapons category. Equally, States engaged in a discussion concerning the inclusion of ammunition. Although many States expressed support for coverage of ammunition, some articulated a preference for non-inclusion of ammunition in the Treaty. Some States, furthermore, supported coverage of a very broad range of conventional arms and related items, including the seven categories of the UN Register of Conventional Arms, small arms and light weapons (SALW), ammunition and related items and technology. Discussion also centered on a number of other categories, including sporting and hunting rifles for recreational purposes and antique weapons and dual-use items.

States also considered *Other Conventional Arms* that might be included in an ATT:

- Small arms and light weapons (the so-called 7+1 configuration)
- Conventional arms and equipment used in law enforcement and internal security operations
- Combat support equipment, including military training equipment, protective personnel equipment, military electronics, fire control/range finder/optical/guidance control equipment.

In keeping with the comprehensive nature of the discussions on the subject, States also discussed *Related Items* that could be covered by an ATT:

- Parts and components for covered arms and items
- Technology to manufacture, modify repair covered arms and items
- Defense services to develop, manufacture, or repair covered arms and items
- Ammunition and munitions for included arms and systems (known as 7+1+1)

Reference was also made to the 2007 United Nations brokering report (A/62/163), which, inter alia, defines a broker in small arms and light weapons as: “*a person or entity acting as an intermediary that brings together relevant parties and arranges or facilitates a potential transaction of small arms and light weapons in return for some form of benefit, whether financial or otherwise.*”

<http://www.reachingcriticalwill.org/legal/att/2010prepcom/docs/FS-Scope.pdf>