Arms trade treaty

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President Donald Trump pulled the US back from an international agreement on the arms trade (signed in 2013 by then-President Barack Obama), telling the National Rifle Association the treaty is “badly misguided.” Trump made the announcement at the NRA’s annual convention, where he vowed to fight for gun rights and implored members of the nation's largest pro-gun group — struggling to maintain its influence — to rally behind his re-election bid. He would be revoking the United States’ status as a signatory of the U.N. Arms Trade Treaty, which regulates the multibillion-dollar global arms trade in conventional weapons, from small arms to battle tanks, combat aircraft and warships.

Dropping out of the treaty is part of a broader Trump administration overhaul of arms export policies to bolster a domestic industry that already dominates global weapons trade.

Can the numbers speak?

- According to Amnesty International, more than 500 people die every day from gun violence, 44 percent of all killings globally involve gun violence, and there were over 1 million firearm-related deaths globally between 2012 and 2016.
- In contrast, military expenditure is on the rise.
- According to the Stockholm International Peace Research Institute (SIPRI), the U.S. continues to be the top global exporter of arms and the 13th global importer (with Saudi Arabia holding the first position), with a total military expenditure in 2018 of $6.5 billion. This is more than 120 times the U.N. budget for the period 2018-2019.

Origin

The roots of what is known today as the Arms Trade Treaty (ATT) can be traced back to the late 1980s, when civil society actors and Nobel Peace Prize Laureates voiced their concerns about the unregulated nature of the global arms trade and its impact on human security.

The ATT is part of a larger global effort begun in 1997 by Costa Rican President and 1987 Nobel Peace Prize laureate Óscar Arias. In that year, Arias led a group of Nobel Peace Prize laureates in a meeting in New York to offer the world a code of conduct for the trade in arms.

- In 2001, the process continued with the adoption of a non-legally binding program of action at the United Nations Conference on the Illicit Trade in Small Arms. This program was formally called the “Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects” (PoA).
- Later put forward in 2003 by a group of Nobel Peace Laureates, the ATT was first addressed in the UN in December 2006 when the General Assembly adopted resolution 61/89 “Towards an Arms Trade Treaty: establishing common international standards for the import, export and transfer of conventional arms”.

The lack of an international global framework for the trade in arms was profoundly
worrysome given the immense volume of the global trade in conventional arms and its potential effect in the disruption of peace and sustainable development.

The Arms Trade Treaty (ATT) is a multilateral treaty that regulates the international trade in conventional weapons. Its objectives include:

- Establish the highest possible common international standards for regulating or improving the regulation of the international trade in conventional arms;
- Prevent and eradicate the illicit trade in conventional arms and prevent their diversion;

For the purpose of:

- Contributing to international and regional peace, security and stability;
- Reducing human suffering;
- Promoting cooperation, transparency and responsible action by States Parties in the international trade in conventional arms, thereby building confidence among States Parties."

Other relevant aspects of the treaty to be highlighted are:

- its scope includes small arms and light weapons;
- State Parties have the obligation to establish and maintain a national control system to regulate the export of ammunition/munitions
- the treaty establishes a system to conduct an assessment, including the consideration of possible mitigation measures, before authorizing an export of weapons
- it includes measures to prevent the diversion of arms
- It includes a yearly reporting mechanism of authorized or actual exports and imports of conventional arms.

In a nutshell, the ATT sets out global standards to conduct legal and rightful activities in a transparent manner. This, in turn, helps to identify where and how arms are diverted into the illicit market and raises the bar regarding accountability for irresponsible transfers of arms.

It entered into force on 24 December 2014. 101 states have ratified the treaty; 34 states have signed but not ratified it.

Gun activists had denounced the treaty when it was under negotiation as an infringement of civilian firearm ownership, despite the well-enshrined legal principle that says no treaty can override the Constitution or U.S. laws. The treaty is aimed at cracking down on illicit trading in small arms, thereby curbing violence in some of the most troubled corners of the world.

It was the first legally binding treaty to regulate the international trade in conventional arms and was overwhelmingly approved by the 193-member U.N. General Assembly in April 2013.

India’s stand on ATT

India is not in favour of this UN treaty because of the following reasons:

IAEA and OPCW have mechanism to check compliance. But such strong verification
mechanism is absent in ATT. Does not explicitly cover drones and grenades. India cannot accept that the Treaty be used as an instrument in the hands of exporting states to take unilateral force majeure measures against importing states parties without consequences.

Treaty speaks about crime and genocide but does not boldly underline the diversion of weapons to terrorist and non-state actors. In past, USA and its allies have armed of rebels in Nicaragua, Syria, Libya, even, Al-Qaeda in Afghanistan. Treaty is biased: puts higher responsibility on importer country than exporter. Exporting nation can stop arms-ammunition supply, citing reason of poor compliance with the treaty.

India always favoured disarmament and regulations over international trade of weapons. But ATT is neither inclusive nor balanced in nature. Therefore, India has abstained.