

Next Steps for the Arms Trade Treaty
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Thank you for the kind introduction, Rachel. And let me also thank the Stimson Center for this opportunity to discuss the Arms Trade Treaty.

Where are we (from the U.S. perspective)?

- The UN process on the Arms Trade Treaty ended when the UNGA adopted the Treaty on April 2, 2013, and there are no more UN meetings on the ATT. The next steps for bringing the Treaty into force now fall to the Signatories and the countries that expect to sign the Treaty in the near future, although the UN will continue to have a limited role since the UN Secretary General is the depositary of the Treaty.
- Just over a year after the Treaty was opened for signature, we are hurtling towards the fifty ratifications needed to start the 90-day countdown to entry into force of the Treaty. To date, 118 countries have signed the Treaty and 41 have ratified.
- Within one year of the Treaty entering into force, a Conference of States Parties must be convened. The Conference will adopt rules of procedure for CSPs, as well as financial provisions governing the operation of the Secretariat, and finalize establishment of the Secretariat. It will also decide when the next CSP will be held and whether to establish any subsidiary bodies. In short, it will decide on how the Treaty will operate in practice at the international level.
- For this reason, it is essential that the ground is prepared for the decisions that the Conference of States Parties needs to take as there will not be time at CSP1 to negotiate the content of those decisions. Participants need to arrive at CSP1 with the outlines of the various decisions already laid out.
- The United States supports an open and inclusive approach to the Treaty. In carrying the Treaty forward, we need to recognize that the Treaty will be strengthened by the level of international participation in the Treaty. One of the strengths of the ATT process at the UNGA was that the negotiation was open to the entire international community. We need to keep the door open on the Treaty to all interested countries, recognizing that there are a range of different views on national regulation of international transfers of conventional arms. Some are clearly committed to the Treaty, as shown by their ratifications or signatures of the Treaty. Others are not at that stage yet, and we need to find ways to engage these countries to keep the door open to their eventually joining the Treaty. Our goal should be to ensure that the Treaty includes those countries that are responsible for the bulk of the international trade in conventional arms, both on the export and on the import side.
- AS NEEDED ADDITIONAL POINT – The ATT is consistent with current U.S. law and practice, and as we have stated, the U.S. could implement the treaty under existing authorities and no further legislation would be required.

Shifting from the International Level to the National Level:

- Since the Treaty's success depends on national implementation of its obligations, it is important to ensure that States ratifying the treaty effectively implement their ATT obligations. We do not want this Treaty to become just another piece of paper full of lofty language but with no effect on the ground.
- As we move beyond the focus on negotiating conferences and signing ceremonies, what steps should countries now be taking to help make the goals of this treaty a reality? What are the practical steps that governments can take to help achieve the ideals of the ATT? The Treaty is not a solution by itself, but is instead a tool that we can use to address the larger challenges to which the treaty is responding.
- A key/principal objective of the treaty is for countries to establish and implement not just effective national export control regimes but also effective national import regimes so that there are adequate controls in place by a government importing conventional arms, in an effort to prevent their unlawful diversion. Discussion of the ATT usually focuses only on export controls, but establishing an effective import regime is particularly crucial in those states where uncontrolled violence is endemic. These import regimes also need to be as transparent as possible in order to help prevent diversion and build confidence that ATT implementation is effective.
- Countries – including those that already have import regimes on the books – must also continuously improve and implement effective border control and customs services – both in law and in practice. These go hand-in-hand with an effective ATT: having national laws in place aimed at preventing illicit imports does nothing if there is no way to implement and enforce the restrictions.
- Countries should also establish an effective legal framework for the prosecution of illegal arms traffickers, putting into place the laws, practices, and the organizations needed to ensure that traffickers and entities that support their illicit arms trade are actively investigated and brought to justice. This will require stronger legal and law enforcement capabilities in many countries, as well as broad international cooperation.
- Furthermore, it is essential that countries institute and maintain effective controls over state-owned stockpiles of conventional arms. Today, such arms in other countries are all too often poorly secured. Properly securing state-owned conventional arms is not an obligation of the ATT, which does not restrict the international movement of conventional arms by, or on behalf of, a State Party for its use when those conventional arms remain under the State Party's ownership. However, improvement in this area is necessary to realize the broader goals of preventing illicit international trafficking that the ATT seeks to address.

Next Steps for the United States

- Since signing the Treaty, we have been working on the package to transmit the Treaty to the Senate for its advice and consent to ratification. This package includes an article-by-article analysis of the Treaty. It is not clear when we will complete this, but we are actively working on this.
- We look forward to continuing to work with Congress, including those Members who have expressed concerns about the ATT, to explain the benefits of the treaty for the United States and our allies and partners, to clarify misconceptions, and to address any lingering concerns.

- Internationally, the United States will use the ATT as part of our continuing effort to promote strong national controls over the international transfer of conventional arms. We will continue engaging on the Arms Trade Treaty to do our part in ensuring that the Treaty is able to reach its full potential, and that it continues to reflect our vision of a Treaty that promotes national responsibility on international transfers of conventional arms.