

ARMS TRADE TREATY

At the Tenth Special Session of the General Assembly devoted to disarmament, held from 25 May to 30 June 1978, the Assembly, in the Final Document ([resolution S-10/2](#)), stated that there should be negotiations on the limitations of international transfers of conventional weapons. In the following years, it requested the Secretary-General to carry out, with the assistance of groups of governmental experts, several studies relevant to the subject of international transfers of conventional arms, including studies on all aspects of regional disarmament ([A/35/416](#)); the relationship between disarmament and development ([A/36/356](#)); confidence-building measures ([A/36/474](#)); the relationship between disarmament and international security ([A/36/597](#)); conventional disarmament ([A/39/348](#)); reduction of military budgets ([A/40/421](#)); and economic and social consequences of the arms race and military expenditures ([A/43/368](#)). Pursuant to General Assembly [resolutions 39/160](#) of 17 December 1984 and [40/155](#) of 16 December 1985, the Assembly also convened an International Conference on the Relationship between Disarmament and Development, held in New York from 24 August to 11 September 1987.

On the basis of these developments, the General Assembly, on 7 December 1988, adopted [resolution 43/75 I](#), entitled “International arms transfers”. By this resolution, it requested Member States to consider, *inter alia*, the reinforcement of their national systems of control and vigilance concerning the production and transport of arms and to examine the ways and means of providing for more openness and transparency with regard to world-wide arms transfers. It also requested the Secretary-General to seek the views and proposals of Member States on these matters ([A/44/444](#), and [Add.1, 2 and 3, A/45/363](#) and [Add.1, and A/45/413](#)) and to carry out, with the assistance of governmental experts, a study on ways and means of promoting transparency in international transfers of conventional arms, taking into consideration the views of Member States as well as other relevant information, including the problem of illicit arms trade ([A/46/301](#)).

At its forty-sixth session, the General Assembly expressed its appreciation for the study of the Secretary-General and acted upon a number of its recommendations. First, in [resolution 46/36 H](#) of 6 December 1991, entitled “International arms transfers”, the Assembly requested the Disarmament Commission to consider including the issue of international arms transfers in the agenda of its substantive session in 1993. The Disarmament Commission considered the issue at its substantive sessions in 1994 and 1995 ([A/49/42](#) and [A/50/42](#), respectively) and adopted, at its substantive session in 1996, the “Guidelines for international arms transfers in the context of General Assembly resolution 46/36 H of 6 December 1991” ([A/51/42](#), annex I). The General Assembly endorsed the Guidelines in [resolution 51/47 B](#) of 10 December 1996, entitled “Report of the Disarmament Commission”. In a separate development, the permanent five Members of the Security Council agreed on “Guidelines for Conventional Arms Transfers” at a meeting on arms transfer and non-proliferation in London in October 1991 ([CD/1113](#)). Second, the General Assembly requested the Secretary-General, in [resolution 46/36 L](#) of 9 December 1991, entitled “Transparency in armaments”, to establish and maintain a universal and non-discriminatory Register of Conventional Arms, to include data on international arms transfers, as well as information provided by Member States on military holdings, procurement through national production and relevant policies ([A/47/342](#); see also [www.unroca.org](#)).

Comprehensive regulation of the international transfer of conventional weapons and prevention of their illicit international trade was further developed when a group of Nobel peace laureates, led by former President of Costa Rica Oscar Arias, launched the [International Code of Conduct on Arms Transfers](#) in 1997. This text formed the basis of the draft Framework Convention on International Arms Transfers, published by a group of NGOs in 2000. It also spurred a number of national and regional initiatives, including the adoption of a Code of Conduct on Arms Exports by the European Union in June 1998; the Moratorium on Importation, Exportation and

Manufacture of Small Arms and Light Weapons, agreed by the Economic Community of Western African States (ECOWAS) in October of the same year; the conclusion of the Inter-American Convention on Transparency in Conventional Weapons Acquisitions in June 1999; and the passing of the International Arms Sales Code of Conduct Act in the United States of America in November 1999. This was followed by the United States-European Union Declaration on Responsibility in Arms Exports, issued at a United States-European Union summit on 18 December 2000. In addition, a group of States formerly belonging to the Western and Eastern blocs agreed in 1995 on the Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies, which held its first plenary meeting in Vienna in December 1996. Moreover, the [Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction](#) was adopted in Ottawa, Canada, on 18 September 1997.

At its fifty-fourth session, the General Assembly decided, by [resolution 54/54 V](#) of 15 December 1999, to convene a United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. The Conference, which was held from 9 to 20 July 2001 in New York, adopted a Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects ([A/CONF.192/15](#)). Through the Programme of Action, the States participating in the Conference committed to undertake national, regional and global measures to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects; suggested measures for implementation, international cooperation and assistance; and recommended steps to be undertaken for an effective follow-up to the Conference. At the first Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, convened pursuant to General Assembly [resolutions 56/24 V](#) of 24 December 2001 and [59/86](#) of 3 December 2004 and held from 26 June to 7 July 2006 in New York, various States, led by the United Kingdom, called for the development of common guidelines for national controls on transfers of small arms and light weapons ([A/CONF.192/2006/RC/WP.1](#) and [A/CONF.192/2006/RC/WP.2](#); for the report of the conference, see [A/CONF.192/2006/RC/9](#)).

Alongside these developments, the General Assembly adopted, by [resolution 55/255](#) of 31 May 2001, the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime. Moreover, the General Assembly, by [resolution 58/241](#) of 23 December 2003, determined that it was feasible to develop an international instrument to enable States to identify and trace, in a timely and reliable manner, illicit small arms and light weapons, and decided to establish an open-ended working group to negotiate such an instrument. Following three substantive meetings held in 2004 and 2005, the open-ended working group reached consensus on a Draft International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons ([A/60/88](#), Annex), which the General Assembly decided to adopt on 8 December 2005 ([Decision 60/519](#), see [A/60/49 \(Vol. II\)](#)).

During its sixty-first session, on 6 December 2006, the General Assembly adopted [resolution 61/89](#) on the report of the First Committee ([A/61/394](#)), in which it decided to include a new agenda item in the provisional agenda for the sixty-second session of the General Assembly, entitled “Towards an arms trade treaty: establishing common international standards for the import, export and transfer of conventional arms”. In accordance with resolution 61/89, the Secretary-General submitted a report on the views expressed by Member States on the feasibility, scope and parameters of a convention regulating conventional arms ([A/62/278 \(Parts I and II\)](#) and [Add. 1, 2, 3, 4](#)) to the General Assembly during its sixty-second session. Also pursuant to the resolution, the Secretary-General established a Group of Governmental Experts to consider the issue. Between February and August 2008, the Group held three meetings in New York and it submitted its report to the General Assembly during its sixty-third session ([A/63/334](#)).

On 24 December 2008, during its sixty-third session, the General Assembly adopted [resolution 63/240](#) on the report of the First Committee ([A/63/389](#)). It endorsed the report of the Secretary-General prepared with the assistance of the Group of Governmental Experts and decided to establish an open-ended working group to further consider those elements where consensus could be developed for their inclusion in an eventual arms trade treaty. The “Open-ended Working Group towards an Arms Trade Treaty: establishing common international standards for the import, export and transfer of conventional arms” held two substantive sessions in March and June 2009, where it considered the goals and objectives, scope, principles and draft parameters, and other aspects of a potential arms trade treaty. By [resolution 64/48](#) of 2 December 2009, the General Assembly endorsed the report of the Open-ended Working Group ([A/AC.277/2009/1](#)) and stressed the need to address the problems relating to the unregulated trade in conventional weapons and their diversion to the illicit market. Therefore, the Assembly decided to convene a United Nations Conference on the Arms Trade Treaty in 2012, to elaborate a legally binding instrument on the highest possible common international standards for the transfer of conventional arms. It further decided to transform the Open-ended Working Group into a Preparatory Committee for the Conference, and to allow intergovernmental organizations and specialized agencies with a standing invitation to participate as observers in the work of the General Assembly and to participate as observers in the sessions of the Preparatory Committee. The Assembly also stressed the need to ensure the widest possible and effective participation in the Conference.

Pursuant to General Assembly [resolution 64/48](#) of 2 December 2009 and [decision 66/518](#) of 2 December 2011, the Preparatory Committee held four sessions between July 2010 and February 2012. At the 1st meeting of its first session, on 12 July 2010, the Preparatory Committee adopted a draft decision on the modalities of attendance of non-governmental organizations at its sessions ([A/CONF.217/PC/L.2](#)). It held informal exchange of views with representatives of non-governmental organizations during all its sessions. During the third session, the Chair of the Preparatory Committee produced, under his own responsibility, a non-paper dated 14 July 2011 ([A/CONF.217/1 \(Annex II\)](#)), which would serve as one of the background documents for the upcoming Conference. The Committee concluded its work on 17 February 2012 with the adoption of its report ([A/CONF.217/1](#)).

The United Nations Conference on the Arms Trade Treaty was convened at the United Nations Headquarters in New York for four consecutive weeks from 2 to 27 July 2012. It opened on 3 July 2012 and, at its first meeting, elected Roberto Garcia Moritán (Argentina) as its President. It also adopted its rules of procedure ([A/CONF.217/L.1](#)) and its agenda ([A/CONF.217/L.2](#)) at that meeting. The Conference considered, *inter alia*, the report of the Preparatory Committee and a compilation of views by Member States on the elements of an arms trade treaty ([A/CONF.217/2](#) and [Add. 1](#)) prepared by the Secretariat. At its 6th meeting, on 9 July, it approved its provisional programme of work for two weeks, from 9 to 20 July, by which it established two main committees to conduct negotiations on the elements of the arms trade treaty. At its 15th meeting, on 26 July 2012, the President of the Conference submitted, under his own responsibility and without prejudice to the position of any delegation, the text of a draft arms trade treaty ([A/CONF.217/CRP.1](#)). The Conference did not reach consensus on the draft text and adopted its report on 27 July 2012 ([A/CONF.217/4](#)).

By [resolution 67/234 A](#) of 24 December 2012, the General Assembly expressed disappointment that the Conference had been unable to conclude its work. Determined to build on the progress made, it decided to convene in New York, from 18 to 28 March 2013, the Final United Nations Conference on the Arms Trade Treaty, to be governed by the rules of procedure adopted on 3 July 2012, in order to finalize the elaboration of the Arms Trade Treaty in an open and transparent manner, utilizing the modalities, applied *mutatis mutandis*, under which the United Nations Conference on the Arms Trade Treaty operated. It also decided that the draft text submitted by the President of the Conference on 26 July 2012 would be the basis for future work

on the Arms Trade Treaty without prejudice to the right of delegations to put forward additional proposals on that text. The Assembly further decided to remain seized of the matter during its sixty-seventh session and called upon the President of the Final Conference to report on the outcome of the Conference to the General Assembly at a meeting to be held as soon as possible after 28 March 2013.

The Final Conference opened on 18 March 2013. At its first meeting, it elected Peter Woolcott (Australia) as its President, who appointed 11 facilitators to hold informal meetings on various aspects of the Arms Trade Treaty. At that meeting, the Final Conference also adopted its rules of procedure ([A/CONF.217/L.1](#)), its agenda ([A/CONF.217/2013/L.1](#)), and approved its indicative programme of work, as proposed by the President ([A/CONF.217/2013/INF/1/Rev.1](#)). At its 14th meeting, on 26 March 2013, the Conference established a Drafting Committee to conduct a technical review of the President's final draft text of the Treaty. At its 17th meeting, on 28 March 2013, the President proposed for the Conference adoption by consensus of draft [decision A/CONF.217/2013/L.3](#), to which a draft text of the Arms Trade Treaty was annexed. The President concluded that, in accordance with rule 33 of the rules of procedure, there was no consensus, and the draft decision was not adopted. At the same meeting, the Final Conference adopted its report to the General Assembly by consensus.

In accordance with resolution 67/234 A, the matter was subsequently taken up by the General Assembly. On 2 April 2013, at the 71st meeting of the sixty-seventh session of the General Assembly, Costa Rica, on behalf of 64 other Member States, introduced a draft resolution ([A/67/L.58](#)), which was subsequently sponsored by an additional 44 Member States ([A/67/L.58/Add. 1](#)). At the same meeting, the General Assembly adopted [resolution 67/234 B](#) with 154 votes to 3, including 23 abstentions and 13 Member States not voting. The resolution adopted the Arms Trade Treaty as contained in the annex to document [A/CONF.217/2013/L.3](#). It also requested the Secretary-General, as depository of the treaty, to reflect the date of adoption by the General Assembly, 2 April 2013, in the final sentence of the treaty, and to open it for signature on 3 June 2013. In accordance with article 22 of the treaty, the [Arms Trade Treaty](#) entered into force on 24 December 2014, 90 days following the deposit of the 50th instrument of ratification with the depository.