

What is the difference between the Programme of Action and the proposed Arms Trade Treaty?

| | PoA (UN small arms process) | ATT (ATT process) |
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| Status | Text finalised in 2001 (Programme of Action) | No text yet (process is in the early stages) |
| | Adopted by all States in 2001 at the UN Conference on Small Arms. | UN General Assembly has started a process examining the parameters, scope and feasibility of a Treaty, but no text has been developed. |
| Legal nature | Politically binding agreement (not legally binding). | Legally binding treaty. |
| Scope | Covers small arms & light weapons and their ammunition. | A comprehensive ATT would cover all conventional arms, including tanks, battleships, etc as well as small arms, light weapons and ammunition. It could also cover torture equipment. |
| Parameters | Wide range of commitments including authorisation of transfers in accordance with States' existing obligations under international law, but ALSO end-use certification, capacity building, information exchange, stockpile management, DDR, public awareness etc. | The Treaty will establish criteria for authorising or denying an international arms transfer, including, exports, transit, transshipment and brokering. |
| Implementation | Each State can implement as it wishes, but standard approach is based on a National Commission and the development of a National Action Plan. | After the text is agreed, States that sign and ratify the Treaty will need to modify national arms transfer legislation and procedures in order to comply with its provisions. |
| Monitoring | Voluntary annual reports on implementation. | Monitoring obligations will probably be included within the treaty text. |
| Enforcement | None. | National legislation would enforce the treaty; additional mechanisms might also be developed. |
| Next steps | This Biennial Meeting of States (BMS) may make recommendations on control stockpile management, controls on brokering, tracing of weapons, and / or cooperation and assistance. The annual 'omnibus' resolution on small arms at the UN General Assembly will determine the next stage of the process. | The Group of Governmental Experts (GGE) will report to the First Committee of the 2008 UN General Assembly and the next stage of the process will be decided there. |
| Goals of civil society | UN small arms process should take a broad approach to enhance human security. In terms of international transfers, controls should be 'consistent with the existing responsibilities of States under relevant international law' (II.11). This should include international human rights and international humanitarian law. | An ATT should require arms transfer decisions to comply with States' existing responsibilities under international law, and prohibit transfers if they are likely to fuel conflict, be used for serious violations of international human rights or international humanitarian law, or if they are likely to hinder sustainable development. |