



PARLIAMENTARY FORUM  
ON SMALL ARMS AND LIGHT WEAPONS

Side event

**“Parliamentary action to enhance the universalisation and implementation of the ATT, and for the eradication of the uncontrolled proliferation of SALW”**

September 3, 2021

Seventh Conference of States Parties (CSP 7) to the Arms Trade Treaty (ATT)



**Report<sup>1</sup>**

The side event, hosted by the Parliamentary Forum on Small Arms and Light Weapons (PFSALW), highlighted parliamentary actions for enhanced universalisation and implementation of the ATT and the efforts to eradicate the uncontrolled proliferation of Small Arms and Light Weapons (SALW). It included recommendations on actions and perspectives by parliamentarians (MPs) with a global outlook, including the linkages to the Women, Peace and Security (WPS), and the Youth, Peace and Security (YPS) Agendas.

The side event, with 84 participants registered<sup>2</sup>, including panellists, of which 41 were women and 43 men, included the active participation of MPs, government representatives, civil society organisations (CSOs) and other stakeholders. Participants discussed key issues of parliamentary action to enhance the implementation of the ATT, including relevant examples by MPs and CSOs on their experiences in working with the ATT, how it relates to the WPS and YPS Agendas, as well as the implications for the eradication of the uncontrolled proliferation of SALW.

<sup>1</sup> The views expressed in this report are those of the Implementing Partner, i.e., PFSALW, and participants, and do not necessarily reflect those of the donors.

<sup>2</sup> A drop-out rate of 10-20% was estimated in accordance with average attendance rates for webinars.



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The virtual side event included the participation of the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific (UNRCPD) and Control Arms. This side event builds on previous successful efforts in different regions in terms of ATT universalisation and implementation, which includes the “Connecting the Dots” United Nations Trust Facility Supporting Cooperation on Arms Regulation (UNSCAR) project for 2017-2018, as well as PFSALW’s participation in the majority of previous CSPs meetings and conferences. As part of these efforts, regional seminars were hosted in collaboration with the ASEAN-Interparliamentary Assembly, the Latin American and Caribbean Parliament and the Pan-African Parliament, where Parliamentary Action Plans were adopted to guide continuous parliamentary action in the regions, consolidated in the [Connecting the Dots 2018 Global Parliamentary Action Plan](#).

This event was made possible thanks to the generous financial support provided by the Ministry for Foreign Affairs of Sweden, and builds on results from previous projects generously supported by UNSCAR.

### **Panel presentations by invited speakers**

The panel presentations included:

Introductory remarks, Hon Daisy Tourné, Uruguay – President of PFSALW

Mr Yuriy Kryvonos - Director, UNRCPD

Mr Ivan Marques, Chair of the Control Arms Board

Hon Syed Naveed Qamar, Member of the National Assembly of Pakistan

The side event was moderated by Ms Karin Olofsson, Secretary General of PFSALW.

**Hon Daisy Tourné** provided PFSALW’s perspective on the ATT and parliamentary action, highlighting that armed violence has devastating costs for individuals, families and communities. According to the Global Peace Index 2021, the economic impact of violence to the global economy in 2020 was \$14.96 trillion in purchasing power parity (PPP) terms. This figure is equivalent to 11.6 per cent of the world’s economic activity (gross world product) or \$1,942 per person. Hon Tourné further underscored the urgency of the situation that calls for concise and effective steps on behalf of all relevant stakeholders, among them MPs, to implement international instruments relevant to the prevention of illicit arms proliferation, including the ATT, the WPS and the YPS Agendas. She explained that MPs play a vital role through their legislative, oversight and awareness raising functions, by bridging the gap between international arms control instruments and national and regional implementation level.

Hon Daisy Tourné highlighted that the recent developments in Afghanistan, demonstrate the ways uncontrolled SALW proliferation, within weeks, can heighten the risk of human rights abuses to women and minorities. CSP 7 is an opportunity for MPs to join forces with other actors,



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including governments, civil society and international organisations to support the universalisation and implementation of the ATT, specifically connected to the prevention and reduction of armed violence, and demonstrate the political will to put words over bullets. She hoped that the open floor discussions would be productive, highlighting current and past challenges and actions needed in the future to build back better following the global pandemic and to reduce human suffering.

**Mr Yuriy Kryvonos** briefly explained that while the ATT cannot solve all international peace and security concerns it can significantly contribute to the solution. It is the instrument that legally binds its States Parties to common standards for the regulation of the cross-border movements of conventional arms and ammunition. The ATT aims to prevent diversion of conventional arms and eradicate their illicit trade. To succeed in achieving these goals, joint efforts of stakeholders from executive and legislative powers of States, as well as civil society are crucial in following the rules and provisions stipulated by the Treaty. Since the ATT does not establish a system of international enforcement, monitoring or verification, States are themselves in charge of their national implementation efforts. Therefore, the decision on acceding to the ATT requires engagement of MPs, government expertise, as well as taking into account the needs and opinion of national civil society. Such approach would enable both the discussion of relevant stakeholders, including MPs, on the benefits which the participation in the Treaty would give the country and identification of actions that would facilitate a smoother processing of the internal ratification procedures of the ATT.

He further mentioned that national parliaments are responsible for executing the democratic oversight in security and politico-military matters including determining tasks of military, police and other security forces, and adopting budget for procuring weaponry enabling them to perform their functions and tasks. Thus, parliaments may play an important role in promoting the accession to the ATT which may serve as a tool for executing parliaments' function of the democratic oversight in security matters. Parliamentary actions are needed to strengthen national institutions and may include developing or enhancing relevant laws, policies and procedures aimed at strengthening or establishing, if required, arms control systems.

Mr Kryvonos explained that the ATT is the first legally binding document recognizing the link between gender-based violence and the arms trade. By its Article 7.4, it has established an additional essential criterion for making decision on the authorization of arms exports. This criterion requires assessing the risk of exported arms "being used to commit or facilitate serious acts of gender-based violence or serious acts of violence against women and children." If such an underlying risk is established, exporting States must deny the authorization of the arms export. Obligations related to this criterion are also relevant for arms importers. Each importing State Party shall take measures to ensure that appropriate and relevant information is provided, upon request, to the exporting State Party to assist in conducting its national export assessment under Article 7. Mr Kryvonos finalised his intervention by highlighting UNRCPD efforts to bring together MPs and CSOs to work on issues of gun violence and illicit small arms trafficking with a gender perspective.



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**Mr Ivan Marques**, underscored that since the inception of the ATT to campaigning for its entry into force, MPs were instrumental to its adoption, mentioning the 2013 global campaign, where over 2000 MPs from 124 countries signed the [Control Arms parliamentary declaration in support of a global ATT](#), a solid political petition delivered to the President of the First Committee at that time. Since then, the legislative branch, e.g. MPs have continuously played a fundamental role in promoting broad universalization and robust implementation of the Treaty, with 110 State parties and 31 States that signed the Treaty but did not yet ratify it. He further shared his experiences from Brazil, where he witnessed how lack of information, a complex national political agenda and pressure from the arms industry in the country led to a 5-year delay in the ratification of the ATT in the parliament, despite Brazil having signed it in 2013. A single MP held the ratification process for more than three years, exemplifying the importance that parliaments and MPs have in the universalisation and implementation of the Treaty. Mr Marques thanked PFSALW for creating an excellent multi-partisan network among Congress Members in Brazil and countries in the region, an effort that undoubtedly helped convince MPs to ratify the Treaty. Cases like the one from Brazil could happen all over the world, and are a good case study to identify potential conflicts and hindrances around the understanding and meaning of the ATT for the national political landscape. MPs, including members of PFSALW, have been instrumental in advancing the Treaty's ratification or accession in many countries, including Cameroon, Mozambique, Guinea-Bissau, and Brazil.

Mr Marques explained that in all 110 States currently part of the ATT and in some countries which are not yet parties to the Treaty, MPs play a central role in approving revisions to existing legislation and adopting new legislative measures. Following ratification of the ATT in many countries, the government submits legislation to the parliaments. It is the responsibility of the MPs to review and amend this legislation to ensure that it is entirely in compliance with the obligations set out in the ATT. It is also a task of the legislative branch to hold the executive accountable and ensure that it complies with its obligations under existing national, regional, and international legal instruments, and in this particular case, compliance with the ATT. He briefly provided examples of countries such as the Netherlands, Sweden, Canada and Germany, to name a few, where governments and agencies must present annual reports listing the record of approval and denial of arms export licenses to the parliament. He shared examples on parliaments being instrumental in reviewing and revoking or even suspending existing arms transfers to the Saudi-led coalition in Yemen, including Italy and the UK.

Finally, Mr Marques highlighted the role of CSOs in advocating with MPs on the importance of ATT, as to raise awareness on how instruments such as the ATT can improve the life of millions and reduce armed violence. However, he signalled the need to improve the relationship between CSOs and MPs, something that Control Arms is trying to address, acknowledging the role that PFSALW has had in bringing the ATT and issues of armed violence to the agenda of MPs.

**Hon Syed Naveed Qamar**, started by mentioning that due to different global pressing issues, including the COVID-19 pandemic, the long-term agenda of peace and security has been almost forgotten. Pakistan is one of the countries which has neither signed nor ratified the Treaty. The



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universalisation of the ATT in Pakistan is a work in progress, hence the few points to be shared by him are a reflection of both the work as well as the hindrances faced by MPs in moving forward with the ATT Agenda. Hon Qamar listed briefly some of the issues that prevent ATT ratification/accession on behalf of Pakistan:

Apathy in relation to arms control and disarmament occurs among MPs, as they have very complex agendas, where despite dealing with problems that are related to the ATT, the Treaty as such is not on the list of priorities. He suggested to bring the focus back to it, by means of linking the ATT to issues such as domestic violence, border disputes and the security situation of the region to the provisions of the Treaty. International agencies and organisations can bring the ATT to the attention of average MPs, as to not only remain a subject on the desk of MPs who are already committed to the Treaty or have already worked on the issue of arms control.

Another issue is the lack of information on behalf of MPs, which does not necessarily mean the information is not available to them, but due to the lack of interest in a particular subject, in this case the ATT. Some stakeholders in Pakistan have a misconception about the ATT, for example, it is assumed that the Treaty will have an impact on the nuclear capability of the country as a deterrent, restricting Pakistan's ability to maintain its arsenal vis a vis neighbours with larger armies. Other ideas revolve around the impact that the ATT would have on the arms industry, despite the fact that national industry is very small and exports are very limited.

A further obstacle is the argument of isolation, for instance, diverse stakeholders among them MPs, wonder why should Pakistan join the ATT, if two of the three major countries around Pakistan (India and Russia), as well the United States of America (USA) are not joining. This is a difficult argument to address in a region dominated by intense geopolitical issues, and affected by other regional conflicts.

He added that countries have often a different stand in discussions taking place in international fora compared to policies and discourse at the national level. This gap can be addressed by MPs, since they are crucial in bridging the international and national agendas. In Pakistan, a parliamentary caucus on the ATT has been created, bringing together MPs from various political parties, in order to focus on how to move forward. The caucus also managed to get a specific meeting of the Senate Committee on Defence Production, which is the committee overseeing production, import and export of arms in Pakistan, even convincing them to sign a document in which they declare they do not oppose joining the ATT.

Finally, he clarified that in Pakistan, the Executive Cabinet approves the signing of any foreign treaty, and the Cabinet again approves the ratification, hence it is not the task of the parliament but the executive part of government to comply with those steps. Thus, his efforts as an MP have focused on persuading the government to join the Treaty, as to be able to systematically deal with the flow of arms in the country. He closed his intervention explaining that arguments from the side of the Executive are not compelling enough to justify the country not becoming a State Party.





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**Open floor debate**

In the open floor debate, questions were posed in relation to the proliferation and transborder smuggling of SALW in the United States of America, and its effect on the region of Latin America and the Caribbean, as well as prospects of change during the Biden administration, as it appears to be more responsive to adequate arms control and armed violence prevention measures.

Hon Tourné explained the difficulty to change domestic laws in the USA to be less permissive; as it is a widely polarised issue at all levels of society, including the business interest surrounding the arms industry and its linkages to MPs. Furthermore, the uncontrolled proliferation of SALW has consequences in terms of narcotraffic, human trafficking and abuses to human rights in Latin America. MPs participation and political will are key to change the discourse in the country.

Mr Marques explained that the USA was one of the first countries to sign the ATT back in 2013, but the Treaty has not been ratified by the Congress yet, given the difficulties of the domestic debate around firearms. There is a national debate on the effects that SALW proliferation has in the country, however, limited discussions take place around the consequences that uncontrolled SALW proliferation, sourced in the USA, has in neighbouring countries and regions. He finalised by highlighting the positive signs of Biden administration to bring USA closer to the ATT's goals and principles, however, the approach of the Congress is still not clear.

Mr Yuriy Kryvonos answered the question from the point of view of the Treaty's language. He highlighted that the ATT aims to regulate the international arms trade. Therefore, in the USA, one of biggest producers of SALW, civilians can buy freely and possess SALW, which is a domestic subject related to internal regulations. It is up to the Government and the Congress to decide on the issue. However, if the USA ratified the ATT, it would be a remarkable contribution to the implementation of this instrument. Many parliaments in different countries lack sufficient information and knowledge about the ATT's goals and its provisions. In this regard, he suggested that PFSALW could play a key role in educating MPs on the issues related to the ATT.

In terms of the ATT implementation, a licensing officer from the Ministry of Defence in Georgia enquired on the robustness of Pakistan's arms control and import/export system and authorities in the handling of arms trade, as the Ministry is currently assessing whether a potential export of small arms from Georgia to Pakistan can take place in compliance with the ATT, given the recent developments in Afghanistan. The official wanted to ensure that arms exports to Pakistan do not entail a risk of diversion to the Taliban forces.

Mr Kryvonos explained that this should be the subject of the implementation of an end-user certificate. A potential exporter may request the Pakistani authority to provide information on how the small arms Pakistan seeks to purchase from Georgia would be used. Furthermore, a potential exporter may include a contract with the Pakistani side on the export of these firearms on the provision of verification after the conclusion of the shipment of these weapons.



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Hon Qamar answered the question explaining how Pakistan suffers due to the endless proliferation of all kinds of weapons left by Russians, Americans or other actors, which are widely used by the Taliban. There is a massive surplus of uncontrolled arms in Afghanistan finding a market anywhere, including heavy weaponry. Over the years, many crimes have been committed within Pakistan with these arms. The question has never been whether the weapons exported to Pakistan will flow to Afghanistan, on the contrary, the opposite is the case. Secondly, he stated that almost no crime takes place with arms that are licensed in Pakistan. Those arms who are imported officially would be licensed, as there is an ancient licensing system in Pakistan that is used diligently. Therefore, it is difficult for people to move around with firearms without licenses in the country. Finally, he commented that the end-user certificate is essential and should be implemented. However, the main concern of Pakistan is how to deal with the illicit flows of SALW.

Ms Karin Olofsson expressed her gratitude to all participants, and adjourned the side event.