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### BLUNDERBUSS OR PEASHOOTER? THE UN MOVES AGAINST THE ARMS TRADE

In the chair as President of the UN Security Council for September, Australian Foreign Minister Bishop successfully piloted through a Resolution that would have been unthinkable barely a year ago. Russia the only abstainer, this expressed grave concern over the transfer and destabilising accumulation and misuse of the small arms and light weapons that continue to slaughter hundreds of thousands annually; the need for governments to fully implement Security Council mandated arms embargoes; and the prompt signature and ratification of the 2013 Arms Trade Treaty (ATT). Currently that instrument has 107 signatures, although only seven of the 50 ratifications required for its entry into force. Australia's insertion of this issue on to the Council's agenda built on the work of Peter Woolcott who, along with Argentinian Roberto Moritan, proved a key figure earlier this year when negotiating the ATT towards its finalisation and subsequently comprehensive endorsement by the UN General Assembly.

So plaudits first followed if not by brickbats, then some suitably sceptical caveats. Positives include the Australian preparation and timing of this Resolution. Its content has the red meat needed to nourish official and non-governmental arms reduction agendas well into the future. Here Julie Bishop stressed through her statements important cross-cutting complementarities. Stemming the illicit trafficking of small arms and light weapons (SALW) helps boost the disarmament, demobilisation and reintegration programmes necessary following conflict to secure an enduring peace. The Resolution's encouragement to monitoring and information sharing stands to enhance humanitarian, human rights and refugee law requirements. So does its call to strengthen stockpile management and securing of substantial amounts of loosely controlled weaponry. Women's and child rights agendas gain salience through prescribed national justice and security sector reforms. The UN's current Programme of Action, designed to combat and eradicate the illicit trade in SALW, gets a needed fillip.

The Australians also got the timing right. Stung by rising condemnation of their veto-riddled inaction over Syria, the Permanent Five on the Council saw the small arms and light weapons Resolution as an opportunity to regain badly needed standing. Even the Russian abstention was by no means tendentious: concern over the Resolution's failure to confront the

longstanding difficulty of illicit arms trading to non-state entities is real and apparent, notwithstanding Moscow's obvious interest in weakening Syrian rebel forces. Rightly regarded as a true source of weapons of mass destruction, SALW has thus finally gained Security Council recognition as a scourge that won't go away - deserving its high level reiteration with the Council remaining 'seized of the matter' according to its quaint terminology.

But hold your horses. True, John Kerry signed the ATT for the United States just two days before the Council Resolution was approved. But nobody is picking an American ratification any time soon, if at all. Like night following day, the National Rifle Association (NRA) will continue rearing up with denunciations of the ATT as an assault on the Second Amendment constitutional right to bear arms, as a foreign conspiracy to undermine the American way of life, and as a violation of civilian gun ownership entitlements. Remarkable for being simultaneously among the most revered yet most reviled lobby in the United States, the NRA sits comfortably on a margin of at least a third of Senate votes well pocketed and primed to block any attempted ATT ratification.

Yet US export controls on SALW are far from lax, a paradoxical outcome possibly seeing the ATT's seemingly most defiant holdout becoming a solid de facto adherent. But note here the comments, cited by the *New York Times*, of one Thomas Countryman, the US Assistant Secretary of State who led the American delegation to the ATT negotiations. Namely: 'This treaty will bring ... the rest of the world ... closer to American standards. In that sense I believe it levels the playing field and gives American manufacturers a better competitive position in the world.' Never let attempted restraint on arms transfers, it would seem, stand in the way of competitive commercial advantage.

American delay will allow the other four of the Security Council's Permanent Five, all top dogs in the SALW export business, ample leeway to prevaricate over ratification. Even should they proclaim, hand on heart that they are not indulging in illicit arms trading, then loopholes of magnitude still abound. One involves the grey world of arms brokering, weapons resold following legitimate transactions, and passing through the hands of dealers willing to turn a Nelson's blind eye to the actual status of prospective purchasers.

Another is the sheer scale of the stuff that is out there but remaining unaccounted for: relatively cheap, durable, lethal for purpose, readily transferred, and easily hidden. This is ready fodder for child soldiering, internecine narcotics gang warfare, and the vigilantism increasingly spawned by police corruption and state sanctioned impunity. To its credit, the Security Council Resolution links the supply and demand components of illicit arms trading more comprehensively than anything seen previously from that quarter. But while a valued start, such exposure is not any guarantee of remedy.

Finally there remains the vexed issue of ammunition. Under the ATT this is subject to export but not import restraints. Left in little doubt is the claim that those who can or who want to do so, will import ammunition in some form or other.

But never mind. Let Australia's constructive, hardworking diplomats enjoy their moment in the sun over a successfully concluded and widely welcomed UN Security Council Resolution. But equally have no illusions that their efforts will readily turn to dust failing immediate and active implementation of this Resolution's contents and an ATT securely in force.

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