



Written by [Raven Clabough](#) on July 22, 2011

UN Arms Trade Treaty Closer to Passage

The United Nations is preparing to finalize its Arms Trade Treaty in 2012, better known in the United States as the Small Arms Treaty, after a series of talks in the Third Preparatory Committee took place last week. The final talks on the treaty have been scheduled for four weeks next summer, and new rules indicate that a majority vote is not necessary in order for the treaty to be passed.



The Heritage Foundation [contends](#) that though the stated purpose of the treaty is to “address the absence of commonly agreed international standards for the transfer of conventional arms, which, it is argued, contribute to war, crime, and terrorism,” the treaty poses a threat to American liberties and interests.

Throughout the talks on the treaty, members of the UN Security Council — which includes China, France, Russia, the United Kingdom, and the United States — voiced concerns over the establishment of a supranational authority. Security Council members and the European Union have now managed to eliminate the presence of that supranational authority originally designated by the treaty, replacing it with a more general statement of obligations related to arms trade which are to be fulfilled nationally, not globally.

The Heritage Foundation sees this as one positive step:

This rejection of a supranational authority is an important concession to sanity. Since the U.S. already has a substantial body of regulations on the arms trade, it would not — if the treaty has only general requirements — have to pass significant implementing legislation to comply with the treaty if the U.S. signs and the Senate ratifies it. Even more importantly, the emphasis on national responsibility reduces the opportunities for U.N. member states to use a U.N. authority to distort the treaty, apply it unfairly, or creatively reinterpret its meaning.

Whether this remains the case by next year when nations meet once again to finalize the details of the treaty is anyone’s guess. But some note a number of the treaty’s remaining problems. For example, the Heritage Foundation observes, “Since Russia and China have long been skeptical of any arms trade treaty, their willingness to support it now implies that the treaty will have no practical effect on their conduct.”

Likewise, while a supranational authority has been rejected, the European Union continues to call for the establishment of an Implementation Support Unit, which some contend may grow to be too powerful and costly.

Additionally, most gun advocates say the scope of the treaty is far too large, regulating areas such as



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manufacturing technology, ammunition, small arms, aircraft carriers, and others. They argue that the treaty also has the potential to impact arms used for sporting and hunting, which they note is a direct violation of Second Amendment rights.

While UN supporters contend that the treaty would not impact Americans' Second Amendment rights, others reject those assertions. Wayne LaPierre of the National Rifle Association voiced concerns regarding Second Amendment rights at the UN meeting on the ATT:

We are told "Trust us; an ATT will not ban possession of any civilian firearms." Yet, the proposals and statements presented to date have argued exactly the opposite, and — perhaps most importantly — proposals to ban civilian firearms ownership have not been rejected.

We are told: "Trust us; an ATT will not interfere with state [a nation's] domestic regulation of firearms." Yet, there are constant calls for exactly such measures.

We are told "Trust us; an ATT will only affect the illegal trade in firearms." But then we're told that in order to control the illegal trade, all states [nations] must control the legal firearms trade.

We are told, "Trust us; an ATT will not require registration of civilian firearms." Yet, there are numerous calls for record-keeping, and firearms tracking from production to eventual destruction. That's nothing more than gun registration by a different name.

We are told, "Trust us; an ATT will not create a new international bureaucracy." Well, that's exactly what is now being proposed — with a tongue-in-cheek assurance that it will just be a SMALL bureaucracy.

We are told, "Trust us; an ATT will not interfere with the lawful international commerce in civilian firearms." But a manufacturer of civilian shotguns would have to comply with the same regulatory process as a manufacturer of military attack helicopters.

Likewise, the Second Amendment Foundation has warned of the type of backdoor dealings that will likely take place in the finalization of the treaty's details.

The Heritage Foundation has raised concerns that the treaty "explicitly accepts that all states — dictatorships and democracies — have an equal right to arm themselves," and that it "tacitly presumes that all the world's states are well intentioned and will actually implement the treaty's controls."

According to [The John Birch Society](#), advocates for the treaty have been lobbying particularly hard this year in order to ensure that a consensus for it is reached:

Many of the arms-control groups such as [Amnesty International \(AI\)](#) and Control Arms pushing for the ATT are blatant about their goals. A spokesman for [ControlArms](#) says all arms and all weapons deals must be controlled. AI insists the biggest arms suppliers are the United States, France, Belgium, the Czech Republic, Germany, Slovakia, the UK, and Italy. However they ignore the worst transgressors of illegal trafficking such as Russia and Albania.

The Obama administration has been highly supportive of the treaty, but The John Birch Society notes the irony of this support:

It's more than a little hypocritical that the Obama administration is willing to cede control of private Americans' small arms ownership and use to the United Nations under the guise of ending gun running, given the Obama administration's ATF and DOJ's own alleged roles in the largest and most scandalous gun trafficking case ever. A simple reminder to our Senators about "Project



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Gunrunner” and “Operation Fast and Furious,” which saw guns trafficked to Mexico apparently with U.S. government approval and collusion and with disastrous results, should be enough to stop the Arms Trade Treaty.

A number of constitutionalist groups and Second Amendment advocates view the treaty as one that may be a fundamental issue in the 2012 elections, and say it should be made into a key issue if the treaty is accepted.

Likewise, opponents of the treaty are encouraging Americans to [contact their Senators](#) and ask them to protect American sovereignty and Americans’ constitutional rights and urge the President to oppose the treaty.



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