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REFERENCE: Arms Trade Treaty
ODA/58-2013/ATT

11 September 2013

Excellency,

The Arms Trade Treaty (ATT), which opened for signature on 3 June 2013, has been one of the most important achievements in present-day multilateral diplomacy. How to organise its implementation will be prominent on the agendas of States, international and regional organizations and other stakeholders in the coming months and years. Please allow me to contribute some ideas to the discussion on next steps regarding this landmark treaty, which are included in the attached non-paper.

On a related note, I would kindly underline that governments which have not yet signed the ATT are invited and encouraged to do so during the 2013 Treaty Event (24 – 26 September and 30 September – 1 October) of the High-level Segment of the 68th General Assembly. Please contact the Treaty Section of the Office of Legal Affairs for details (phone +1-212-963-5047, fax +1-212-963-3693). Signature on other dates throughout the year remains possible as well.¹

The United Nations Secretariat will continue to work with signatories of the Arms Trade Treaty and other interested parties to ensure its early and well-prepared entry into force, as well as a sustained focus on capacity-building to effectively implement its provisions.

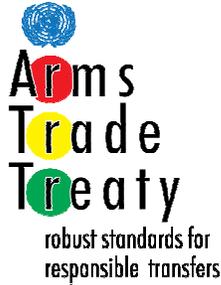
Please accept, Excellency, the assurances of my highest consideration.



Angela Kane
High Representative for
Disarmament Affairs

His Excellency
The Permanent Representative of ...
to the United Nations
New York, NY

¹ A quick-guide on procedures for signature and ratification can be found on www.un.org/disarmament/ATT.



Non-paper

Arms Trade Treaty: Possible Next Steps

I. Conferences of States Parties

1. In order to obtain the highest benefit out of the first meetings under the treaty, it will be important to sequence them in the most optimal way. This is for States Parties to decide; the observations below are intended to help discussions.

Coordinated submission of ratifications

2. As with the Convention on Cluster Munitions, the submission of the last ratifications before entry into force could be coordinated so that a group of countries submit their instruments at the same time, as agreed by them. This would allow for:
 - targeted management of what would become the precise date of entry into force (90 days after the group submission);
 - a group of States, not only one State, being able to rightly claim that it was their ratification which set entry into force in motion.
3. States Parties could thus choose to organise an *inaugural* CSP1 on or immediately following the Treaty's entry into force, with a more *substantive* CSP2 to be organized in the second year.

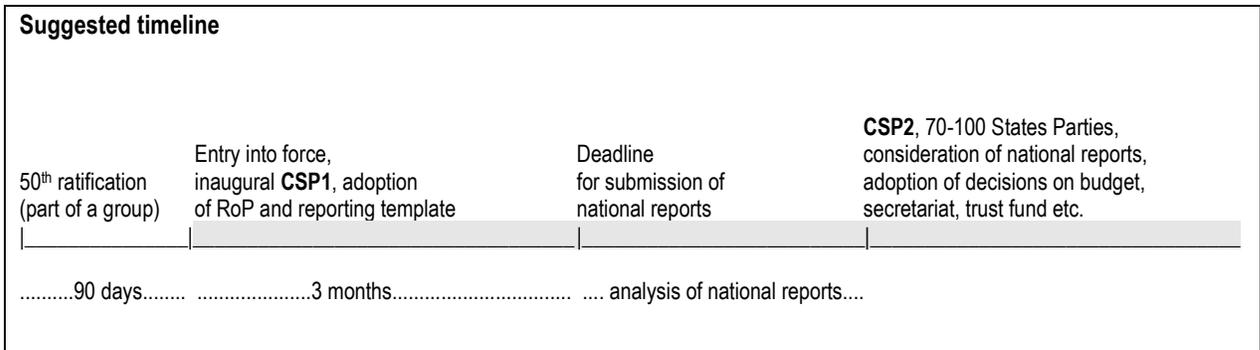
CSP1

4. Entry into force of the treaty will be a momentous occasion, worthy to be accompanied by a major event or meeting. This inaugural event could be the beginning of CSP1, organised on or immediately following the date of entry into force. This would keep with the treaty's provision on the time window CSP1: to be organized within a year of the Treaty's entry into force (Art. 17).
5. Also within a year of entry into force, States Parties will have to submit an *initial report* on measures taken to implement the ATT (Art. 13). These initial national reports can be expected to be a key indicator of assistance needs, which in turn will allow meaningful action to be taken on assistance and cooperation during the CSPs.

6. These reports should be available and analysed well in advance of the particular CSP dealing with important matters such as assistance and cooperation, and the establishment of a trust fund.
7. Two documents which CSP1 may wish to agree on are the *rules of procedure* for CSPs, and a *reporting template*. A reporting template being available right after entry into force, would allow each State Party enough time to draw up and submit its national report well before CSP2, and well within a year of entry into force, as the treaty stipulates. A deadline of e.g. three months after CSP1 could be set, leaving time for analysis of those reports submitted. CSP2 would thus have before it a substantial number of national reports and possibly an analysis thereof, allowing the conference to decide on the most relevant and appropriate next steps in particular regarding assistance and capacity-building.
8. Under the above-mentioned approach, CSP1 could be a short (e.g. 2-day), inaugural meeting with a high-level segment, marking entry into force.

CSP2

9. If an inaugural CSP1 is held on entry into force, then CSP2 could become the meeting at which discussion on important decisions could be scheduled, e.g. on budget matters, secretariat functions, trust fund arrangements and assistance to States.
10. It is of significance to take such important decisions not in the first year after entry into force (CSP1), because at the time of CSP1 the treaty would have “only” 50 States Parties while a considerable number of States would be close to submitting their ratification. These signatories who would not yet have completed their ratification may wish to be involved as a full State Party in the key decisions that CSPs will need to take.
11. The proposed sequencing would allow States Parties to proceed with the best possible management of decisionmaking.



II. Provisional secretariat

12. Decisions on the future ATT secretariat (Art. 18) will be made at a CSP. However, it is recommended that a decision on the *provisional* secretariat be made during the 68th General Assembly, as CSP1 will need to be timely prepared, and increasingly implementation activities need to be coordinated and communicated.
13. Since the Treaty is yet to enter into force, the most transparent forum for taking decisions on the provisional secretariat may be the 68th session of the General Assembly acting on the basis of a draft resolution from its First Committee.
14. A timely establishment of a provisional ATT secretariat would contribute to the need to provide continuity on substance and process from the preparatory phase towards entry into force of the ATT, and beyond. A provisional secretariat, if organised well, would also ensure a sustained coordination with related capacity-building activities within the wider UN system (including the work by diverse UN entities on improving border controls, weapons stockpile management, national legislation etc), and could warrant the full utilisation of the UN's meetings management and documents control expertise.

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