

Boston Symposium on the Arms Trade Treaty
Summary Report
Ambassador Marschik

We have spent a productive time in Boston fleshing out key issues related to the Arms Trade Treaty and its negotiations. We benefited from this extra time to examine the issues relating to scope, parameters, and implementation in an informal context and in quite some detail without pre-judging the outcome of the Prepcoms and the Conference in 2012.

In general, this Symposium reinforced our understanding about the need for an ATT that diminishes the negative consequences on national, international, and human security caused by the inadequately regulated transfer of conventional arms. The meeting solidified the acceptance that there are global problems and that we need universal rules to address these. We witnessed a readiness to engage in this process with a positive and helpful spirit that will carry us into the next Prepcom.

Each breakout session enjoyed detailed and serious discussions. We improved our understanding of the issues and of the positions of partners. In general, I drew three conclusions from the discussions that apply to further elaboration of scope, parameters, and implementation:

First, we strive to achieve a uniform standard but an ATT must be flexible enough to adapt to the various needs of States and to achieve universality. This meeting has reinforced that States do not come to discussions on the ATT from the same background – that they thus look at it from very different perspectives – be that their role in the international arms trade, their capacity, or their existing export control systems. Clearly, we must be flexible in our approach to an ATT and strive to establish a Treaty that takes these different situations into account.

Second, States would benefit from utilizing existing mechanisms – at the national, regional, and global levels – in order to streamline and consolidate existing national practice and ensure compliance and universality of the ATT. Significant lessons can be learned from these agreements that can assist in the development of the ATT and its implementation mechanisms.

Third, terminology is important. States must have a concrete and clear understanding of what we are regulating, what the Treaty covers and what it does not, and the obligations and commitments States must meet. Without such clarity, the ATT will inadvertently create loopholes and will not be effective.

As we all know, the elements of the ATT are interconnected. Yet, we must examine each individually in order to ensure a comprehensive approach to the problems. For example, for *Scope*, we can recognize the logic of utilizing the UN Register, but we can also recognize that for an ATT to be effective the Register categories will need to be refined and expanded.

For *Parameters*, we must recognize that there is a widely established body of law – both national and international law – that can be drawn from to develop transfer criteria. Risk assessment will represent the cornerstone of the concrete application of these parameters to specific arms transfer

decisions, and the ATT needs to define standards of application of these criteria in order to favor its consistent implementation across countries.

Finally, *Implementation* connects the elements of scope and parameters. Once the commitments and obligations of an ATT are established, States must develop frameworks for reporting, establishing national legislation, developing institutional arrangements, providing for international cooperation and assistance, and criminalization and enforcement. These frameworks may look different in each State, but the objective is the same. Here, we must take advantage of lessons learned and best practice in existing mechanisms to establish effective policies and programs.

In the end, we seek to achieve an ATT that will establish the highest possible common international standards for the import, export and transfer of conventional arms, including small arms and light weapons, in order to contribute effectively towards peace and stability. This Symposium has brought us one step closer to achieving that goal.

One of the most significant contributions of this Symposium has been the development of the background papers on scope, parameters, implementation, and a sub-topic of implementation – transparency. These papers have allowed examination in much greater detail than we were able to during the PrepCom in July and helped reshape our thinking on these important topics. We can use these new and useful perspectives in the ATT's development. I propose that we share these papers with others who did not have the possibility to participate.

In closing, let me thank the University of Massachusetts Boston, Professor O'Malley and the organizers of the meeting – in particular Ms. Rachel Stohl – for the excellent organization and support of the Symposium. I would also like to thank you for your willingness to engage in a frank and open discussion and to help us enhance the dialogue and understanding of the issues necessary to achieve an ATT. I hope that these discussions will contribute to our work at the next Prepcom in February and will shape our thinking as we move the process forward.