

UNITED NATIONS ARMS TRADE TREATY

History

- In 2009, at the U.N. General Assembly, the Obama Administration voted for the U.S. to participate in negotiating an Arms Trade Treaty (ATT) – a reversal of the previous administration’s position. The ATT is purportedly intended to establish “common international standards for the import, export and transfer of conventional arms,” including tanks, helicopters and missiles.
- Last July, the U.N. Conference on the ATT dissolved without a consensus treaty text. This was in part thanks to a U.S. delegation who asked for additional time, after receiving a letter signed by 51 U.S. Senators expressing intent to oppose ratification of any ATT that in any way infringes upon our Second Amendment freedoms.
- On November 7, 2012, the day after President Obama’s reelection, his administration announced its intent to reengage in treaty negotiations. The “final” U.N. Conference on the ATT, as it’s being called, is scheduled for March 18-28 in New York City.

Fundamental Problems

- **Second Amendment concerns.** The current text acknowledges in its preamble the existence of “the legitimate trade and use of certain conventional arms” by private citizens, but it does not exempt civilian firearms from its scope or recognize the individual right of self-defense. If the ATT is supposed to be concerned only with the international trade in conventional weapons, then it needs to exempt domestic, civilian firearm ownership and use from its scope, as governed by national laws and constitutions.
- **Equation of democracies and dictatorships.** A near-universal treaty like the ATT will make it much harder to move towards a world in which dictatorships do not have the privileges that rightly pertain to sovereign democracies. Precisely because the UN includes every nation in the world, it is not a suitable instrument for negotiating substantive treaties on a subject as profoundly divisive as the control over the means of national defense.

If the ATT could work, it would not be necessary. There is no reason to believe the ATT will succeed where past U.N. Security Council Arms Embargoes have failed. Smothering the world with law will not affect nations who choose not to respect it, or are too ill-governed to enforce it.

- **Gradual, long term exertion of pressure on the U.S.** When the ATT inevitably fails to achieve its aims, supporters will use future review conferences to place the blame squarely at the feet of the U.S. and our 2nd Amendment freedoms. If the U.S. supports the treaty now, they’ll be backed into a corner down the road when the treaty isn’t working and supporters seeks further, stricter updates to the treaty.

Resolution

Senator Moran will be introducing a concurrent resolution on **Wednesday, March 13**, in tandem with Congressman Mike Kelly (R-PA), outlining specific criteria that must be met for any resulting treaty to be ratified by the U.S. Senate and recognized as customary international law.

Language endorsed by: NRA, Heritage Action, EMET (Endowment for Middle East Truth)

Current Cosponsors (28): Alexander, Ayotte, Barrasso, Boozman, Burr, Chambliss, Coburn, Cornyn, Crapo, Cruz, Enzi, Flake, Grassley, Hatch, Heller, Hoeven, Inhofe, Isakson, Johanns, Paul, Portman, Risch, Roberts, Rubio, Thune, Toomey, Vitter, and Wicker.