



The Norwegian Forum
for Development
and Environment



Christian Council of Norway

To: Foreign Minister Børge Brende
MFA, Boks 8114 Dep., 0032 Oslo

Copy: Senior Adviser Ingrid Schøyen, MFA; First Secretary
Andreas Motzfeldt Kravik, Mission of Norway to the UN in New
York; Senior Partner Gro Nystuen, ILPI

Oslo, July 2nd, 2015

Arms Trade Treaty recommendations before July Prep. Conf. and August CSP

Dear Foreign Minister Børge Brende,

We refer to the letter of April 16, 2015 from The Norwegian Forum for Development and Environment (ForUM), a network of 50 Norwegian NGOs, raising several issues of concern regarding the preparations leading up to the first Conference of State Parties (CSP) of the Arms Trade Treaty (ATT) in Cancun, Mexico, August 24-27, 2015.

The entry into force of the ATT has given hope to people worldwide. A vital tool to help reduce sufferings and atrocities related to irresponsible arms transfers, the treaty will be implemented in a time plagued by a number of dangerous conflicts and threats affecting millions of people. Therefore, we need to make sure it is implemented robustly.

However, as consultations have taken place and will continue to take place before the CSP, including in Geneva next week, some States have suggested rules of procedure that risk undermining the humanitarian object and purpose of the treaty as stated in ATT Article 1.

It is of utmost importance that Norway continues to be at the forefront to defend the gains that have been achieved in the ATT process so far, and make the treaty work according to its purpose. We would like to underline some key points, some of which are reiterations from our April letter.

Our recommendations are made in dialogue with the global civil society including the World Council of Churches and the Control Arms Coalition, the latter having played a key coordinating role since the start of the negotiations (and of which ForUM is a Steering Board member). We write in English to be able to share with our global partners.

Given Norway's progressive leadership on the ATT, we hope you will support the following:

1. Rules of Procedure

- All procedural and substantive issues are decided by majority-based decision making; there are no mechanisms for deferral, and no potential for veto;
- Civil society participates fully as observers with a clear speaking role: Civil society has an important role both in assisting states in fulfilling their commitments and in independently monitoring their performance. In the course of diplomatic meetings, states may be reluctant to criticize each other, while humanitarian NGOs have as their whole purpose of participation to bring to the attention of states the consequences on the ground of irresponsible arms trade, and how to better prevent this.
- Maintain transparency with open, not closed, plenary and subsidiary meetings.

2. Reporting

- Comprehensive, fully transparent reporting by State Parties.
- The exceptions to reporting allowed in Article 13 should only apply in the most limited cases (e.g. redacting a few details from a report), and cannot be used as a means to evade the responsibility to report on arms imports and exports.

3. ATT Secretariat

- An independent, adequately resourced ATT Secretariat, fit for purpose to provide support for ATT implementation;
- Secretariat staff appointments based on merit.

4. Financing

- Financing for the ATT should be fair, and not disadvantage less resourced States Parties.
- States Parties should make decisions on financial or budgetary matters by a 2/3 majority vote of States Parties present and voting at CSP.

We would also like to reiterate our concern from our April letter regarding the Norwegian regulations on arms export. As has also been emphasized by the Norwegian Red Cross, according to the current regulations it is not illegal to export arms in contradiction with Article 6 and 7 of the ATT. Such transfers should be made illegal in all States Parties in order to put the legal responsibility on exporters themselves. This would also contribute to building stronger norms and clarity in the global arms trade, a vital foundation for the ATT.

Thank you for your efforts to secure a robust ATT. We are optimistic about continued strong Norwegian performance to make the treaty work in accordance with its object and purpose, and look forward to working together with you to achieve this.

Yours sincerely,

(sign.)

Andrew Preston
Director
Forum for Development and Environment

(sign.)

Knut Refsdal
Secretary General
Christian Council of Norway