

Humanitarian Arms Control II — Small Arms and Light Weapons (SALW) and the Arms Trade Treaty (ATT)

This learning unit aims to enhance understanding of the illicit proliferation of SALW, policy instruments for controlling illicit SALW proliferation and the key challenges that hinder effective policy implementation.

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1. Definition, trade and illicit proliferation of SALW

Small arms and light weapons (SALW) are the weapons of choice of many non-state actors, ranging from criminals to rebel groups and terrorists. These weapons are highly lethal instruments of violence and generally easy to use. As a result, SALW are frequently used in various acts of violence across the globe. The illicit proliferation of these weapons can cause an increase in human rights violations and pose a serious threat to peace and security.

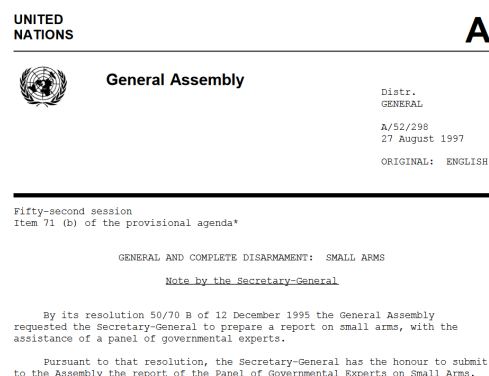
Most SALW are initially legally produced and transferred across the globe. However, at any point during their life cycle, they can be diverted into the illegal domain, making it particularly challenging to address their proliferation. Due to the fact that they are light to carry, transfer and maintain, these weapons are easy to smuggle and traffic. Effectively combating the illicit proliferation of SALW requires regional and international cooperation between different actors, as well as more effective SALW export control policies.

In this learning unit, we will discuss the definition, trade and illicit proliferation of SALW, as well as international and regional policy responses. Special emphasis will be placed on the Arms Trade Treaty (ATT) and the EU policies developed to combat the illicit proliferation of SALW. Given the immense risk of illicit SALW, we will conclude with the challenges and opportunities ahead.



A mixed cache of SALW, Ethiopia
Conflict Armament Research

Small arms and light weapons (SALW)



General Assembly, Fifty-second session
United Nations(1997) <https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Arms%20A%2052%20298.pdf>

Since the mid-1990s, the idea that the proliferation of small arms and light weapons sustains and exacerbates armed conflicts, and especially intra-state conflicts, has led to the development of a number of international and regional policy instruments aimed at strengthening the national regulation of these weapons. Yet, despite this increasing policy attention, there is no universally accepted definition of what constitutes “small arms and light weapons”.

The **UN Panel of Governmental Experts** in 1997 defined small arms as “those weapons designed for personal use” and includes different types of firearms such as pistols, revolvers, assault rifles and light machine guns. In this learning unit, we will use terms such as “small arms”, “firearms” and “guns” interchangeably.

Light weapons, on the other hand, are described as weapons “designed for use by several persons serving as a crew” such as man-portable heavy machine guns, which are typically mounted on vehicles, or man-held RPGs (which are rocket-propelled grenade anti-tank weapons) or MANPADs (which are shoulder-launched man-portable air defence systems that can target low-flying airplanes and helicopters).



FN MAG mounted on Pickup Truck
Al Jazeera English/Wikimedia, CC BY-SA 2.0

According to Armament Research Services (ARES),^[1] small arms are firearms not exceeding 20 mm calibre, used by the military, security institutions and civilians. Similar to the above definition of light weapons, ARES defines them as portable weapons that can be carried and operated on foot by no more than five individuals. They are more commonly used by the military than civilians or the police.

All these definitions are used to enhance knowledge about and facilitate an understanding of the distinction between small arms and light weapons.

Apart from defining them, it is also important to identify and recognise different weapons that fall under the category of small arms, light weapons and their ammunition.

Identifying small arms: Main categories

Pistols

Small arms which can be fired single-handed, commonly referred to as handguns. They are widely accessible and are the weapons most frequently used in illegal activities.



Figure 1. Browning HP 9mm pistol
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Revolvers

Revolvers consist of single-handed small arms with bullets in a rotating cylinder above the trigger (see Figure 2).



Smith & Wesson Magnum 357 revolver
Flemish Peace Institute

Rifles and carbines

Long firearms. Automatic versions of these weapons only require one pull of the trigger to release a burst of bullets. The most commonly known assault rifle is the Kalashnikov AK-47.



AK-47 assault rifle
Flemish Peace Institute

Machine guns

Automatic long firearms capable of sustaining a high rate of fire.

Submachine guns: Hybrid between pistols and assault rifles and are relatively easy to operate. Light machine guns can fire in "rapid bursts to extended ranges"^[2].

Heavy machine guns: Belt-fed weapons that fire at high rates, supported by a tripod for stability.



Machine gun
Conflict Armament Research

Man-portable air defence systems (MANPADS)

Shoulder-launched systems that can target low-flying airplanes, helicopters and drones.



MANPADS
Conflict Armament Research

Portable launchers of rocket systems

Used to destroy armour and fortifications with a guided missile.



RPG7 rocket launchers
Conflict Armament Research

Mortars of calibres less than 100 mm

Support weapons that can be used against targets out of sight.



M252 81 millimetres (3.2 in) mortar (UK)
Lance Cpl. James W. Clark - This image was released by the United States Marine Corps with the ID 090504-M-1012C-001, public domain

Identifying SALW ammunition and explosives

Cartridges: For small arms are casings containing the explosive to propel the bullet.



Small-calibre ammunition
Conflict Armament Research

Shells and missiles: For light weapons consist of projectiles containing the explosive fired out of the light weapons.



M79 Osa 90 mm HEAT rockets
Conflict Armament Research

Anti-personnel and anti-tank grenades: Munitions thrown by an individual that are effective against personnel and tanks.

Production and transfer of SALW

The production and trade of small arms and light weapons is a multi-billion dollar business, employing tens of thousands of people. In 2017, the financial **value of authorised transfers** of small arms and light weapons globally was estimated to be **at least 6.5 billion dollars**.^[3]

Research has shown that **worldwide**, in excess of **a thousand companies** from more than **90 countries** are involved in some aspect of the production of small arms and light weapons. The companies engaged in the business are very diverse, ranging from small family-owned businesses to subsidiaries of large multinationals to state-owned companies.

As of 2017, the biggest small arms and light weapons exporters in the world were the **United States**, followed by **Italy and Brazil**. A number of European countries, such as **Austria, Belgium, Germany and Spain**, are traditionally also significant exporters of these types of weapons. Unfortunately, more recent reliable global figures on small arms and light weapons exporters are not available.

In recent decades, producers from countries such as **China, Brazil, Turkey, Israel and South Korea** have been challenging the established US and European businesses. This has often been the result of licensed production. Pretty much all of the largest firearms producers have production licensing agreements with several manufacturers abroad. Every year, more than 500,000 firearms are produced under license or as unlicensed copies.

In 2017, the top four exporting countries exported small arms worth 2.8 billion US dollars (Tier 1, see table below). Top exporters also include countries "trading at least USD 100 million worth of SALW"^[4] (Tier 2).

Major exporters comprise countries "trading at least USD 10 million worth of SALW"^[5] (Tier 3 and Tier 4).

In 2017, the 21 major exporters accumulated 946 million US dollars' worth of small arms export.^[6]

Category	Value (USD)	Top Exporters (listed in descending order of value)
Tier 1	≥500 million	1. United States 2. Italy 3. Brazil 4. Germany
Tier 2	100-499 million	1. Austria 2. South Korea 3. Czech Republic 4. China 5. Turkey 6. Spain 7. Norway 8. Russian Federation 9. Israel 10. Croatia 11. Canada 12. Belgium 13. Japan
Tier 3	50-99 million	1. Bosnia and Herzegovina 2. Finland 3. United Kingdom 4. Switzerland 5. Serbia 6. France 7. Slovakia 8. Sweden
Tier 4	10-49 million	1. Mexico 2. India 3. Portugal 4. South Africa

Ammunition for small arms is produced in more than 100 countries worldwide and comprises the largest category of small arms exports.

Globally, the production of ammunition is unbalanced. Only a limited number of countries are capable of producing significant amounts of ammunition of a consistently high quality. Specifically, 15 countries are responsible for about 90 percent of all international ammunition transfers^[7]

The illicit proliferation of SALW

Given that they are portable and easy to use, SALW are employed by civilians, police and the military. Civilians can acquire SALW legally, but they are also widely available and accessible illegally, which means there is a potential risk of them being used by criminal gangs. While official armed and police forces can legally purchase small arms and light weapons from the international defence market, this is generally not the case for non-state actors, such as rebel groups and terrorists. As a result, access to illicit SALW poses a serious threat to peace and security. These are the key aspects covered in the following section.

Why are SALW so widespread?

Some of the distinguishing features of small arms and light weapons make them very suitable for contemporary armed conflict, and especially for non-state actors. First of all, small arms and light weapons – and especially military-style weapons such as assault rifles, machine guns or rocket launchers – are very lethal instruments. They provide non-state actors with a boost in firepower, often matching or exceeding the firepower of national police or armed forces and this significantly increases their chance of success. These

weapons are also easy to use and to maintain. They generally require little maintenance and little training, which makes them particularly suitable for conflicts that involve untrained fighters. Small arms and light weapons can also easily be transported since they can be carried by an individual fighter or in a light vehicle. They can also be efficiently concealed and therefore easily trafficked. In addition, most small arms and light weapons are durable goods that remain operational for many years, often even many decades. While new types of small arms and light weapons are constantly produced, the older and cheapest versions of these weapons tend to be the most widespread in contemporary conflicts in which non-state actors are involved. Many of the small arms and light weapons used in conflicts today have been circulating between conflict zones for many years now, and in many parts of the world, sophisticated second-hand small arms and light weapons are readily available, many of which were produced and originally transferred during the Cold War. The availability of large quantities of these weapons in conflict zones results in relatively low prices. Although a great variation in prices can be found, even across geographically close regions, small arms and light weapons are generally cheaper than larger conventional weapons.

While most official armed forces and police forces can legally buy small arms and light weapons from the international defence market, this is generally not the case for non-state actors such as rebel and terrorist groups.



Non-State actors have to rely on illicit methods.
PRIF/Grübelfabrik (CC BY NC)

These groups have to rely on illicit acquisition methods to arm themselves. It is sometimes estimated that the size of illicit trafficking in small arms and light weapons accounts for 10–20 percent of the legal trade in these weapons, but this figure needs to be interpreted with great caution.



Illicit vs legal arms trade.
Own Graph/Grübelfabrik (CC BY NC)

While much work has been done in quantifying authorised transfers of small arms and light weapons,

research on arms acquisition by rebel groups or terrorists is much more difficult to quantify and relies heavily on case studies and anecdotal evidence.

There are different methods that can be used by non-state actors to illicitly acquire these weapons. The overwhelming majority of illicitly transferred small arms and light weapons were produced legally, but were diverted at a certain point in their life cycle, for example when they were stolen from production sites, government stockpiles or legal gun owners. Especially government arms stockpiles are often attractive sources of small arms and light weapons for non-state actors. Securing these government stockpiles by safeguarding against individual loss, pilferage, small-scale theft or even the seizure of entire stockpiles is therefore a major challenge in many countries.

Another important source of small arms and light weapons are battlefield recoveries where weapons are taken from defeated opponents.

A large number of non-state actors also rely on the patronage of foreign governments for the acquisition of their weapons.



Governmental supply of violent non-state actors by foreign governments
PRIF/Grübelfabrik (CC BY NC)

The Cold War can be considered the heyday for these grey market transfers, with the major powers openly or covertly supporting their proxies worldwide by supplying them with weapons or the financial means to purchase them. After the end of the Cold War, this military support was largely “regionalised” with regional powers providing weapons to their proxies, mostly in neighbouring countries.

Non-state actors can also turn to the black market for the acquisition of small arms and light weapons. This black market often operates on a regional level with criminals, rebel groups and opportunistic individuals transferring weapons from one conflict zone to another.

The proliferation of small arms and light weapons is generally considered a serious threat to peace, security, human rights and sustainable development. The availability of these weapons is closely connected to conflict dynamics. The access to weapons facilitates engaging in armed combat. In addition, the availability of large quantities of especially military-style weapons can strongly intensify existing conflicts. Even when the armed conflict is resolved, the continued presence of the weapons in the hands of private citizens in post-conflict zones entails the risk of a quick return to violence since the availability of these weapons may threaten legitimate but weak governments and fuel criminal and terrorist activities.

The gendered aspect of SALW

The possession, use and misuse of SALW, as well as attitudes towards these types of weapons, are highly gendered. The violence committed using SALW affects women, men and other genders differently.

More than half a million homicides occur worldwide due to armed conflict or armed violence, with men accounting for around 84 percent and women for less than 16 percent of the victims (UN, 2017). Young men aged 15–29 comprise the largest group targeted by small arms violence and violent deaths. They also represent the largest demographic group likely to use small arms in committing a crime. Moreover, according to the UN, “most of the world’s estimated 875 million small arms are in male hands”. Women on the other hand are more likely to consider small arms a threat to safety.

Women and girls worldwide are disproportionately affected by SALW proliferation, as SALW can be used to facilitate gender-based violence (GBV), intimate partner violence and sexual violence in conflict settings. One-third of all killings of women and girls worldwide are committed with SALW. Not only is there a risk of SALW being used to kill but also to instil fear and intimidation among women and LGBTQ+ people.

The policy response has improved over time in terms of recognising the relationship between SALW and GBV in international legally binding instruments.

Quiz

View quiz at <https://eunpdc-elearning.netlify.app/lu-10/>

1. Jenzen-Jones 2020: “The ARES Arms & Munitions Classification System (ARCS)”, Armament Research Services (ARES).
2. Saferworld 2012: Small arms and light weapons: A training manual [<https://www.saferworld-global.org/downloadfile.php?filepath=downloads/pubdocs/SALW-module-1.pdf>]
3. Florquin, N., et al. 2020. [<https://www.smallarmssurvey.org/sites/default/files/resources/SAS-Trade-Update-2020.pdf>] Trade Update 2020 – An Eye on Ammunition Transfers to Africa, Small Arms Survey, p. 18. UNODA even assumes a legal trading volume of more than 7 billion US dollars, but does not name a specific source. [<https://disarmament.unoda.org/convarms/trade-brokering/>]
4. Ibid. p. 19.
5. Ibid.
6. Ibid.
7. Jenzen-Jones 2014: Producers of Small Arms, Light Weapons, and Their Ammunition. Small Arms Survey Research Notes 43, p. 2. [<https://www.smallarmssurvey.org/sites/default/files/resources/SAS-Research-Note-43.pdf>]

2. International responses

Addressing the illicit proliferation of SALW



Weapons stacked up on the floor
Courtesy of Jasmin Porobic

From the mid-1990s on, the issue of illicit proliferation of small arms and light weapons has received considerable international attention. Concerned with the humanitarian and socio-economic consequences of the excessive accumulation and uncontrolled spread of illicitly transferred small arms and light weapons, a number of international policy initiatives have been taken to tackle this illicit transfer. Regional organisations have been very active on these issues and in the late 1990s, several regional developments were developed, such as:

- the ECOWAS Moratorium on the Importation, Exportation and Manufacture of Light Weapons;
- the Southern Africa Regional Action Programme on Light Arms and Illicit Arms Trafficking;
- and the EU Code of Conduct on Arms Export.

From the early 2000s on, a number of initiatives were also taken at the UN level to curb the illicit proliferation of small arms and light weapons. Although these weapons were considered the primary tools in almost all contemporary armed conflicts, a global non-proliferation regime to limit their spread was still missing. In 2000, the then UN Secretary-General Kofi Annan stated that,



'The death toll from small arms dwarfs that of all other weapons systems – and in most years greatly exceeds the toll of the atomic bombs that devastated Hiroshima and Nagasaki. In terms of the carnage they cause, small arms, indeed, could well be described as "weapons of mass destruction".'
- Kofi Annan, 2000

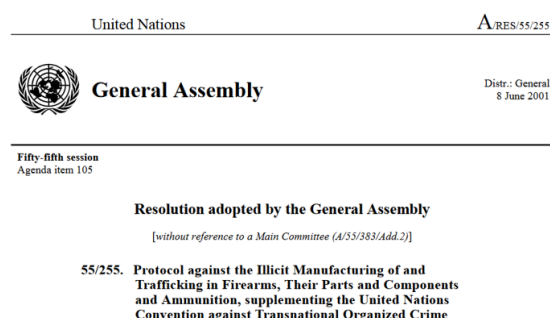
Former UN Secretary-General Kofi Annan, 2012
United States Mission Geneva (Flickr), CC BY-ND 2.0

Kofi Annan: "We the Peoples: the role of the United Nations in the 21st century"

The UN therefore urged its member states to take serious action to combat the illicit proliferation of

these weapons. In the following years, a number of important global instruments were developed.

In June 2001, the UN Firearms Protocol was adopted as an additional Protocol to the UN Convention against Transnational Organized Crime. This Protocol was the first legally binding global instrument specifically focusing on the issue of small arms. The Protocol entered into force in 2005 and requires states parties, among other things, to criminalise the illicit manufacturing and trafficking of firearms, to implement an effective import and export control system, and to mark firearms at the time of manufacture or import.



UN Resolution A/RES/55/255 - 'Firearms Protocol'.
<https://www.unodc.org/documents/treaties/UNTOC/Publications/A-RES%2055-255/55r255e.pdf>

A few weeks after the adoption of the Firearms Protocol, the participants of a UN small arms conference held in July 2001 agreed on a UN Programme of Action to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects. This Programme of Action consists of a number of practical measures to limit the illicit trade in small arms and light weapons. Although only politically binding, this Programme of Action is often considered the most important UN instrument with regard to small arms and light weapons.

The Firearms Protocol and the Programme of Action contain quite some resembling measures, for example with regard to information exchange, marking, tracing and record-keeping of firearms, and with regard to effective export licensing systems. Compared to the Firearms Protocol, the Programme of Action was developed in a context of arms control and also includes provisions on typical arms control issues such as the establishment of adequate stockpile management, the disposal of surplus weapons, and the development of effective disarmament, demobilisation and reintegration programmes.

The implementation of the Programme of Action has, in its turn, led to the negotiations of several international and regional agreements and instruments. One of the most important of these instruments is the International Tracing Instrument. This is a politically binding instrument, adopted by UN member states in 2005, and aimed at improving marking, record-keeping and tracing measures.

The most recent international instrument that regulates the trade in small arms and light weapons, but also other types of conventional weapon system, is the Arms Trade Treaty, the ATT. It was developed in 2013 and entered into force in 2014.

We will elaborate further on the ATT in the next chapter of this learning unit.

The Firearms Protocol

The Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition was adopted in 2001 as an additional Protocol to the UN Convention against Transnational Organized Crime (November 2000). It entered into force in June 2005.

The Firearms Protocol does not apply to state-to-state transactions and state transfers in cases where the application of the Protocol would prejudice a state's right to maintain national security as specified within the United Nations Charter.

The Firearms Protocol requires states parties:

- to adopt measures that criminalise illicit manufacturing and trafficking of firearms and criminalise tampering with the markings on firearms;
- to adopt measures that enable the confiscation and destruction of illicitly manufactured or trafficked firearms;
- to take measures for good record-keeping of illicitly manufactured or trafficked firearms;
- to mark firearms at the time of manufacture and of import;
- to prevent illicit reactivation of deactivated firearms;
- to establish or maintain an effective import, export and transit licensing system;
- to adopt security and preventive measures aimed at detecting, preventing and eliminating the diversion of firearms in its country;
- to confidentially exchange information on licit and illicit firearms activities among themselves;
- to cooperate at the bilateral, regional and international level, especially with regard to training and technical assistance;
- to consider establishing a system for the regulation of brokers.

The UN Programme of Action (PoA)

In July 2001, the UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects adopted the UN Programme of Action (PoA) to Prevent, Combat, and Eradicate the Illicit Trade in SALW. However, the PoA contains no specific mention of the issue of ammunition.

For further implementation of the PoA, states are asked to voluntarily submit national reports, convene biennial meetings and hold review conferences.

The PoA aims to prevent, combat and eradicate the illicit trade in SALW in all its aspects by:

- strengthening or developing agreed norms and measures at the global, regional and national levels that would reinforce and further coordinate efforts to limit the illicit trade in SALW;
- developing and implementing agreed international measures to limit the illicit manufacturing of and trafficking in SALW;
- placing particular emphasis on the regions of the world where conflicts are coming to an end and where serious problems with the excessive and destabilising accumulation of SALW must be dealt with urgently;
- mobilising political will throughout the international community to prevent and combat illicit transfers and manufacturing of SALW, to cooperate on achieving these goals and to raise awareness of the character and seriousness of the interrelated problems associated with the illicit manufacturing of and trafficking in these weapons;
- promoting responsible action by states with a view to preventing the illicit export, import, transit and retransfer of SALW.

The International Tracing Instrument (ITI)

In 2005, the UN General Assembly adopted the ITI which aimed to improve marking, record-keeping and tracing measures. More specifically, ITI aims to:

- enable states to identify and trace illicit SALW in a timely and reliable manner, by setting out a number of minimum requirements for marking and record-keeping;
- promote and facilitate international cooperation and assistance in marking, record-keeping and tracing;
- enhance the effectiveness of and complement existing bilateral, regional and international agreements to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects.

The ITI does not apply to antique SALW or their replicas.



Markings on G3A3 rifle in Somalia
Conflict Armament Research

Assessment

The Firearms Protocol, the UN PoA on SALW and the ITI remain very valuable international instruments in the ambition to prevent the illicit proliferation of SALW around the world.

The Firearms Protocol is still the only legally binding global instrument on firearms control. Since the Protocol's entry into force, the international community's approach to firearms control has evolved significantly. Many countries across the globe have now developed legislation to establish an export and import control system and to criminalise firearms trafficking. Many have also used the Firearms Protocol

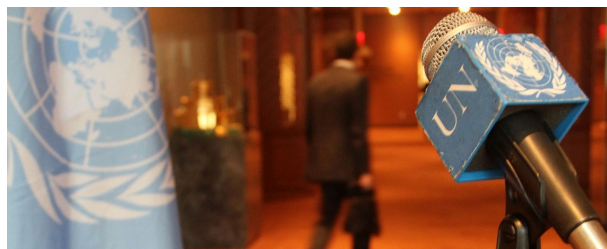
to implement measures for marking firearms, for improving record-keeping of seized firearms and for enhancing information sharing within national borders and with international partners.

The UN PoA on SALW is a soft law instrument that is characterised by a dynamic process of exchanging views and negotiation. Since its adoption in 2001, Review Conferences have been organised every six years. Two of the by-products of the PoA are the ITI and the recommendations of a Group of Governmental Experts on Brokering. In light of the 2018 Review Conference, the participating states renewed their commitment to prevent, combat and eradicate the illicit trade in SALW in all its aspects. They also reaffirmed the continued relevance of the PoA, stressed the importance of the full and effective implementation of the PoA to achieve the goals of the 2023 Agenda for Sustainable Development, and encouraged more transparency and better information exchange. Several specific steps needed to further implement the PoA were identified, including measures to prevent illicit manufacturing, reactivation and conversion of SALW. Special attention was also given to responding to the opportunities and challenges presented by recent developments in the manufacturing, technology and design of SALW.

Quiz

View quiz at <https://eunpdc-elearning.netlify.app/lu-10/>

3. Arms Trade Treaty



UN microphone
Fred Lubang <https://flic.kr/p/f1A3xm>

Negotiating the ATT

The Arms Trade Treaty (ATT) is the result of almost 20 years of diplomacy and advocacy.

1997 • Early Initiatives

Former Nobel Prize laureates drafted an *International Code of Conduct on Arms Transfers*, laying the groundwork for what would eventually become the Arms Trade Treaty (ATT).

2001 • Draft Framework Convention

A Draft Framework Convention on International Arms Transfers was circulated at the UN Small Arms and Light Weapons (SALW) Conference, calling for a **universal, legally binding agreement** governing arms transfers.

2006 • UN Resolution Initiation

The UN Resolution that launched the development process of the ATT was initiated by the **United Kingdom, Australia, Argentina, Costa Rica, Finland, Kenya, and Japan**.

2009 • Resolution 64/48

The UN adopted **Resolution 64/48**, convening a conference in 2012 to negotiate the ATT.

2012 • Negotiation Challenges

During negotiations, diplomats failed to agree on an acceptable text. Key disagreements included the treaty's scope (e.g., *inclusion of ammunition*), human rights assessment criteria, prohibition of exports to non-state actors, and concerns about member states' export restrictions.

April 2013 • Arms Trade Treaty adopted

The General Assembly of the United Nations adopted the Arms Trade Treaty, the first global instrument regulating the international trade in conventional arms.

In April 2013, the General Assembly of the United Nations adopted the Arms Trade Treaty, the first global instrument regulating the international trade in

conventional arms. Unlike chemical, biological and nuclear weapons, trade in conventional weapons was not regulated on a global level before.

NGOs and coalitions of willing states, including the European Union, advocated for years to negotiate such a worldwide treaty to regulate international arms trade. Other states – including a number of significant arms exporters – were less keen to adopt international norms that would restrict their national leeway to export arms.



Republic of Korea Signing the Arms Trade Treaty on June 3, 2013
INSIDER IMAGES/Keith Bedford, CC-BY 2.0

During the negotiations of the Arms Trade Treaty, it soon became clear that reaching a global consensus would be impossible without watering down the quality of the Treaty to a point where advocate states would drop out. The proponents therefore decided to no longer aim for unanimity, but instead go for a stronger text with fewer signing state parties. In the end, 154 UN member states voted in favour of the Arms Trade Treaty in April 2013, three states voted “no” and 23 states decided to abstain.

The Treaty entered into force in December 2014, after 50 states ratified the treaty.

Despite the challenge of getting the majority of member states to vote for it, the ATT became a landmark treaty in regulating the international arms trade. It also set a new precedent as it became the first treaty to include provisions for preventing gender-based violence (GBV), requiring exporting states to consider the risk of arms being used in committing serious acts of GBV. Adding a reference to gender was a central part of civil society advocacy during the negotiations. Such efforts faced significant resistance from a few states, particularly the Holy See, which requested the term “violence against women” be used instead of GBV. With the help of the supporting states, however, the prevention of GBV was added as a legally binding criterion to the ATT. Almost a decade since it entered into force, the ATT gender-based violence

provision applies mostly in situations of serious violations of international law and human rights, less so in cases of GBV in domestic contexts.

Elements and status of the ATT

The Arms Trade Treaty has two main objectives:

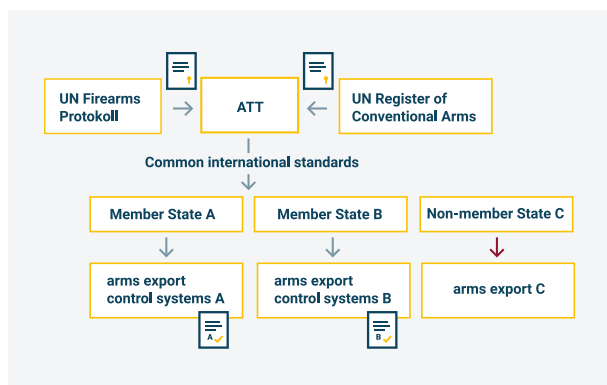
1. To establish the highest possible common international standards for regulating or improving the regulation of the international trade in conventional arms
2. To prevent and eradicate the illicit trade in conventional arms and prevent their diversion

The ATT is directed at states parties and obliges them to control arms export on a national level based on the agreed common international standards. Member states of the UN that have not ratified the Treaty are not bound by it.

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Each state party is required to have a national arms export control system, including a national control list covering conventional arms such as battle tanks, combat aircrafts and attack helicopters. The ATT also explicitly applies to international transfers of small arms and light weapons.

The items covered by the Treaty include those covered by other UN instruments such as the Firearm Protocol or the UN Register of Conventional Arms.



Grüebelfabrik, CC BY-NC-SA

Although the scope of the ATT does not fully cover munition and components, the Treaty obliges states

parties to establish national export control systems for these products as well.

For the achievement of its second objective – combatting the illicit arms trade and preventing the diversion of these weapons – the ATT includes provisions on:

- record-keeping, for example on export authorisations granted;
- provisions on international cooperation and information exchange, for example on sharing information on illicit activities and actors or providing assistance with regard to stockpile management or the implementation of legislation;
- and provisions for the requirement to take appropriate measures to address diversion.

The Arms Trade Treaty came into force in December 2014.

TREATY

Arms Trade Treaty

Effective 02 April 2013 116 Member States

The Arms Trade Treaty regulates the international trade in conventional arms and aims to prevent illicit trading and diversions.

Current Adoption

		MWI	COL	ALB	AND	ATG	ARG	AUS	AUT	BHS	BRB
BEL	BLZ	BEN	BIH	BRA	BGR	BFA	CPV	CMR	TCD	CHL	CRI
CIV	HRV	CYP	CZE	DMA	DOM	SLV	FIN	FRA	GEO	DEU	GHA
GRC	GRD	GTM	GIN	GNB	GUY	HND	HUN	ISL	IRL	ITA	JAM
LVA	LBN	LSO	LBR	LIE	LTU	LUX	MDG	MWI	MLI	MLT	MRT
MEX	MNE	MOZ	NAM	NZL	NER	NGA	MKD	NOR	PLW	PAN	PRY
PER	PHL	POL	PRT	KOR	MDA	ROU	KNA	LCA	VCT	WSM	SMR
STP	SEN	SRB	SYC	SLE	SVK	SVN	ZAF	ESP	SUR	SWE	CHE
TGO	TTO	TUV	GBR	URY	ZMB	AFG	GMB	BWA	CAN	CAF	CHN
GMB	KAZ	MDV	MUS	MCO	NIU	PSE	GAB	JPN	NLD	AGO	BHR
BGD	BDI	KHM	COL	COM	COG	DJI	SWZ	HTI	ISR	KIR	LBY
MYS	MNG	NRU	RWA	SGP	THA	TUR	UKR	ARE	TZA	USA	VUT
ZWE	ARM	AZE	BLR	BOL	BRN	BTN	COD	COK	CUB	DZA	ECU
EGY	ERI	ETH	FJI	FSM	GNQ	IDN	IND	IRN	IRQ	JOR	KEN
KGZ	KWT	LAO	LKA	MAR	MHL	MMR	NIC	NPL	OMN	PAK	PNG
PRK	QAT	RUS	SAU	SDN	SLB	SOM	SSD	SYR	TJK	TKM	TLS
TON	TUN	UGA	UZB	VAT	VEN	VNM	YEM				

- Adopted by ratification
- Adopted by accession, acceptance, or succession
- Signed but not adopted
- Not adopted

Data: United Nations Treaty Collection

The Arms Trade Treaty focuses on export, but also includes a number of provisions on import, transit or transshipment, and brokering. The ATT obliges signatories to control arms export at the national level. It does not apply to the international movement of conventional arms by or on behalf of a state party for its own use, provided that the conventional arms remain under the ownership of that state party.

The ATT applies to the following eight categories of conventional arms:

- Battle tanks
- Armoured combat vehicles
- Large-calibre artillery systems
- Combat aircraft
- Attack helicopters
- Warships
- Missiles and missile launchers
- Small arms and light weapons

As already mentioned, the ATT has two main objectives:

- To establish the highest possible common international standards for regulating or improving the regulation of the international trade in conventional arms.
- To prevent and eradicate the illicit trade in conventional arms and prevent their diversion.

Objective 1: Establishing common international standards for regulating the international trade in conventional arms

- National arms export control system
- National control list on conventional arms (e.g. small arms and light weapons, battle tanks, combat aircrafts, attack helicopters)
- National export control system for munition and other components

Objective 2: Combatting the illicit arms trade and preventing the diversion of these weapons

- Record-keeping, e.g. on export authorisations granted
- Provisions on international cooperation and information exchange, e.g. sharing information on illicit activities and actors or providing assistance with regard to stockpile management or the implementation of legislation
- Requirement to take appropriate measures to address diversion

Prohibitions A state party shall not authorise any transfer of conventional arms if:

- this would violate its obligations under measures adopted by the United Nations Security Council acting under Chapter VII of the Charter of the United Nations, in particular arms embargoes;
- this would violate its relevant international obligations under international agreements to which it is a party, in particular those relating to the transfer of, or illicit trafficking in conventional arms; or
- the state knows that the items would be used in committing genocide, crimes against humanity,

grave breaches of the Geneva Conventions of 1949 or other specified war crimes.

Assessment criteria

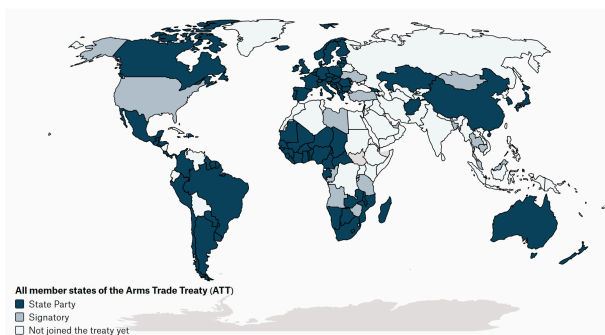
Set assessment criteria on the risk the exported weapons pose in the following areas:

- Contributing to or undermining peace and security
- Potentially being used to commit or facilitate terrorism, organised crime or a serious violation of international law
- Being used to commit or facilitate serious acts of gender-based violence or serious acts of violence against women and children

Other provisions

- States parties can consider mitigation measures
- States parties shall take measures to prevent diversion
- States parties are required to keep records of export authorisations (G) or actual exports
- States parties must submit annual report on authorised or actual imports and exports to the Secretariat
- States parties are encouraged to provide international cooperation and assistance for implementation of the Arms Trade Treaty

As of February 2025, the ATT comprises 116 states parties, 26 signatories that are not yet states parties, and 53 states that have not yet joined the Treaty.



All member states of the Arms Trade Treaty (ATT)
The Arms Trade Treaty (<https://thearmstradetreaty.org/treaty-status.html>)

The position of the EU towards the ATT

The EU has played a supportive role in the development of the ATT.

In 2005, the Council of the EU explicitly expressed its support for an Arms Trade Treaty for the first time. The Council agreed that the United Nations was the only forum that could deliver a truly universal instrument and the EU expressed its commitment to play an active role in this process.

Council conclusions calling for a legally binding Arms Trade Treaty were adopted on 11 December 2006 and 18 June 2007.

The representatives from the Council, the European Commission, the European External Action Service (EEAS) and the Delegation of the EU at the UN cooperated closely during the process leading up to the final approval of the Arms Trade Treaty.

- The European Commission and the EEAS analysed the text proposals and supported member states in defining their positions.
- The concern of the Commission was to make sure that the language of the Treaty would not infringe on EU legislation.
- The EEAS coordinated consultations with member states in order to agree on common positions during the negotiations.

Adopting common positions was not an easy task and the EEAS encountered several difficulties in streamlining national concerns during the negotiations. However, the EU managed to present strong positions in the UN debate, for example that the consequences of the assessment of licence applications according to specific criteria should be clear and that criteria on corruption and sustainable development should be adopted. On other issues, such as the inclusion of civilian firearms, no agreement was reached among EU member states.

While the EU has been an active participant in the negotiations, it did not become party to the ATT (as is the case for the UN Firearms Protocol). However, all EU member states are parties to the ATT. In addition, the EU supports the implementation of the Treaty.

In 2021, for example, the EU adopted an outreach programme with a budget of 3.5 million euros to assist non-EU countries in strengthening their arms transfer systems in line with the requirements of the ATT.

With the aim of effective implementation and universalisation of the ATT, the EU supported activities of the ATT secretariat with a budget of 1.4 million euros (in 2021) and 1.3 million euros (in 2023) [<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32023D2296>].

Quiz

View quiz at <https://eunpdc-elearning.netlify.app/lu-10/>

4. EU Approach Towards SALW



Labeled weapons on the floor.

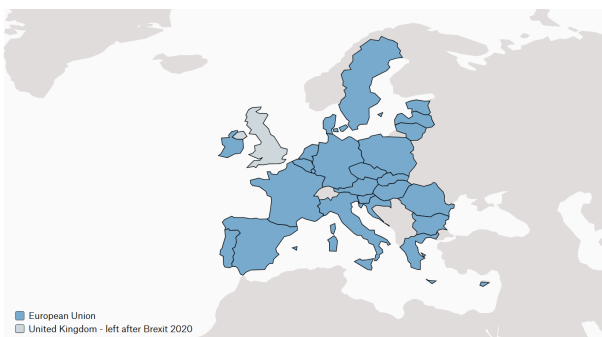
© Fred Lubang

EU regulations on SALW exports

The EU is an important producer and exporter of SALW. European Union reporting does not allow clear identification of the licensed and effective export of small arms and light weapons, only the export of firearms. Based on the available data, we can conclude that:

- the value of licensed exports of firearms by EU member states exceeded 3.6 billion euros and the value of effective exports exceeded 500,000 euros in 2022;
- more than half of these exports were destined for North America;
- the major EU exporting countries in 2022 were Austria, Latvia, Croatia, Germany, Belgium, Bulgaria and Italy.

Small arms and light weapons have been the subject of European policy since the early 1990s.



EU member states
PRIF, CC BY-NC-SA

Arms exports to countries outside the EU, security concerns with regard to the transfers of civilian firearms within the EU, and concerns with regard to the risks associated with the illicit accumulation and trafficking of small arms and light weapons have inspired EU policymakers to take action at the EU level.

13. 9. 91

Official Journal of the European Communities

No L 256/51

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE of 18 June 1991

on control of the acquisition and possession of weapons

(91/477/EEC)

EU Firearms Directive, 1991

Official Journal of the European Communities

Important to note is that small arms are not only used in a context of armed conflict. In all EU member states, citizens can legally possess firearms for activities such as hunting, sport shooting or collecting. With the creation of the single market and the abolishment of internal borders, EU member states felt the need to regulate the acquisition and possession of firearms at EU level in order to compensate for the abolishment of checks at the national borders. In 1991, the EU therefore enacted the Firearms Directive which sets out minimum criteria that member states have to implement in their national legislation with regard to the acquisition, possession, and transfer of firearms and ammunition within the borders of the EU.

In the 1990s, firearms also became an important point of attention in the Union's Common Foreign and Security Policy. The export of small arms and light weapons to countries outside the EU is governed by two measures: one for military small arms and light weapons and one for civilian firearms. The export of civilian firearms from the EU is regulated by Regulation 258. This regulation was adopted in 2012 and establishes basic rules for import, export and transit of civilian firearms, their components and ammunition. With the adoption of this regulation, the EU implemented Article 10 of the UN Firearms Protocol.

30.3.2012

EN

Official Journal of the European Union

L 94/1

REGULATION (EU) No 258/2012 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 14 March 2012

implementing Article 10 of the United Nations' Protocol against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, supplementing the United Nations Convention against Transnational Organized Crime (UN Firearms Protocol), and establishing export authorisation, and import and transit measures for firearms, their parts and components and ammunition

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 207 thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national Parliaments,

Acting in accordance with the ordinary legislative procedure ⁽¹⁾,

Whereas:

(1) In accordance with Council Decision 2001/748/EC of 16 October 2001 concerning the signing on behalf of the European Community of the United Nations Protocol on the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, annexed to the Convention against transnational organised crime ⁽²⁾, the Commission signed that Protocol (hereinafter referred to as the 'UN Firearms Protocol') on behalf of the Community on 16 January 2002.

(2) The UN Firearms Protocol, the purpose of which is to promote, facilitate and strengthen cooperation among Parties in order to prevent, combat and eradicate the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, entered into force on 3 July 2005.

(3) In order to facilitate the tracing of firearms and efficiently combat illicit trafficking in firearms, their parts and essential components and ammunition, it is necessary to improve the exchange of information between Member States, in particular through the better use of existing communication channels.

(4) Personal data must be processed in accordance with the rules laid down in Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data ⁽³⁾ and Regulation (EC) No 45/2001

EU Regulation 258, 2012

Official Journal of the European Communities

The export of military small arms and light weapons, on the other hand, is regulated by Common Position 944. The EU's concern with arms export control rose after the Gulf War of 1990–1991, where European states played a controversial role in arming the Middle East, especially Iraq. In response to that, common minimum standards related to peace and security were adopted within the framework of the European Common Foreign and Security Policy. These minimum standards are used by all EU member states to assess license applications for arms exports. By reinforcing cooperation and promoting convergence in arms export control policies, the EU wants to prevent the export of military technology and equipment which might be used for internal repression or international aggression or contribute to regional instability.

13.12.2008 EN Official Journal of the European Union L 335/99

III

(Acts adopted under the EU Treaty)

ACTS ADOPTED UNDER TITLE V OF THE EU TREATY

COUNCIL COMMON POSITION 2008/944/CFSP of 8 December 2008

defining common rules governing control of exports of military technology and equipment

THE COUNCIL OF THE EUROPEAN UNION,

Preventing and Combating Illicit Trafficking in Conventional Arms.

Having regard to the Treaty of the European Union, and in particular Article 15 thereof,

(7) The Council adopted on 12 July 2002 Joint Action 2002/589/CFSP on the European Union's contribution to combating the destabilising accumulation and spread of small arms and light weapons (1).

Whereas:

Common Position 994, 2008
Official Journal of the European Communities

In 1998, the agreements of the European Council were codified in a Code of Conduct on Arms Export, which was, since 2003, accompanied by a user's guide to ensure a common implementation.

In 2008, the Code of Conduct was transformed into a Common Position – a document with a legal basis in the Treaty of the EU.

Although the EU export control regime is part of the EU Common Foreign and Security Policy, which is governed by so-called soft law, the legal value of the documents increased over the years and its impact on national export control regimes augmented.

The Common Position contains eight criteria that member states have to take into account when assessing applications for export licenses of goods that are listed in a Common List of military equipment, including small arms and light weapons. These criteria refer to, among others, the internal security situation in the destination country, the respect for human rights and humanitarian law in the destination country, or the existence of a significant risk of diversion of the weapons. The Common Position also aims at improving information exchange, cooperation among member states and transparency. In recent years the EU has organised different outreach activities to promote the control of arms exports and the principles and criteria of this Common Position among third countries.

The adoption of the 1998 EU Code of Conduct and 2008 Common Position has harmonised arms export control processes, fostered cooperation among EU member states and significantly increased the transparency of European arms exports. Yet, with regard to the harmonisation of outcomes of national arms export decisions little progress has been made – despite the existence of the common assessment criteria, EU member states often disagree on specific exports to end-users and destination countries. In practice, national foreign policy objectives and economic interests seem to outweigh the development of a real harmonised EU arms export control policy.

The Common Position was adopted in 2008 by all EU member states under the EU's Common Foreign and Security Policy according to article 29 of the Treaty of the European Union.

Member states are obliged to ensure that their national policies conform to the Union positions.

The Common Position sets out common minimum standards for arms export control by EU member states. It also applies to brokering, transit transactions and intangible transfers of technology. Member states may adopt more restrictive legislation.

The provisions of the Common Position apply to goods listed in the EU Common Military List. This list acts as a reference point for member states' national lists (without replacing them). The EU Common Military List comprises 22 categories. Small arms and light weapons are also included in this list but in a separate category.

Common Position assessment criteria

1. Respect for member states' international obligations and commitments
2. Respect for human rights and international humanitarian law
3. Internal situation in the country of final destination
4. Preservation of regional peace, security and stability
5. Security of member states, as well as that of friendly and allied countries
6. Behaviour of the buyer country with regard to the international community
7. Existence of a risk of diversion or undesirable re-export
8. Technical and economic capacity of recipient country

Additional provisions

- Export licences shall only be granted on the basis of reliable prior knowledge of end use in the country of final destination.
- Member states are required to exchange information on denied export licenses and to consult each other before approving a license that has been denied by another member state.
- Member states are required to publish an annual report of their arms exports and circulate it to the other member states.
- The document foresees the drafting of an annual report on the exports of military items by all EU member states. Member states shall publish national reports on their exports and report to the EU.

A user's guide was developed in 2003 to assist member states in implementing the Common Position

Since the early 1990s, the EU has defined minimum common rules on the acquisition, possession and transfer of civilian firearms within the EU. In 1991, the first EU Firearms Directive was introduced. Following amendments made in 2008 and 2017, the EU adopted a new Directive on control and possession of weapons (Directive 2021/555) in 2021.

Like its predecessors, EU Firearms Directive 2021/2555 is a legally binding instrument that is not directly applicable, but needs to be implemented through national legislation. Importantly, this Directive only introduces minimum standards. This means that member states may adopt more stringent legislation.

A crucial element of the Firearms Directive is the establishment of three categories of firearms.

Category A firearms, such as automatic firearms, are prohibited firearms. The acquisition and possession of these firearms is not allowed. There are, however, some exceptions. For example, the Directive stipulates that member states can choose to grant to museums and collectors, under strict security conditions, authorisations to acquire and possess such firearms, their essential components and ammunition. Dealers and brokers, in their respective professional capacities, are also allowed to acquire, possess and transfer such firearms.

Category B firearms, including most semi-automatic short firearms, such as pistols and revolvers, are subject to authorisation. The acquisition and possession of firearms that fall under this category are only allowed when a person is at least 18 years of age, has a so-called "good cause" (for example target shooting or hunting) and does not present a danger to themselves, to public order or to public safety.

Category C firearms, such as long firearms with single-shot rifled barrels, are subject to declaration only.

The Firearms Directive also includes various additional requirements such as provisions on the authorisation of arms dealers, the marking and registration of firearms, the conditions for transfers to other EU member states, and information exchange between member states.

EU policy on illicit trafficking of SALW

In addition to the development of a regulatory framework for the legal possession and transfer of civilian firearms and for the authorised export of small arms and light weapons, the EU has also translated the international focus on the illicit manufacturing and trafficking of these weapons into EU policy. In 2005, the EU adopted its "strategy to combat illicit accumulation and trafficking of small arms and light weapons and their ammunition" as part of a wider European Security Strategy. Until then, EU actions on disarmament were mainly reactive and focused on disarmament, demobilisation and reintegration programmes and on security sector reform in post-conflict countries. From 2005 on, however, this reactive approach has been supplemented by preventive action

Regulation of firearms possession and transfers within the EU

aimed at tackling the illegal supply and demand as well as controls on exports of conventional weapons. Particular attention was given to the problem of arms transfers to sub-Saharan Africa and the huge stockpiles of small arms and light weapons in Eastern and Southeastern Europe.

- It is intended to be a comprehensive plan of action to combat the illicit trade in firearms, SALW and their ammunition and contains various measures to secure the full life cycle of these weapons.
- It takes into account the changing security environment and has a double objective:
- to guide integrated, collective and coordinated European action on this security threat and
- to promote accountability and responsibility with regard to the legal SALW trade.

Key aspects of the 2018 EU strategy:

- Strengthening the normative framework by supporting a multilateral approach to arms control and non-proliferation efforts such as the ATT, UN Firearms Protocol and the UN Programme of Action on SALW
- Implementation of norms in the different life cycle phases of firearms and SALW by strengthening controls on the manufacturing and export of these weapons and by improving the stockpile management and responsible disposal of these weapons
- Compliance through monitoring SALW flows in conflict-affected areas and improving information sharing and operational law enforcement cooperation within the EU
- Strengthening international and regional cooperation and assistance, with a particular focus on the regions likely to pose a threat to the EU's security and most likely to benefit from EU action



Brussels, 19 November 2018
(OR. en)

13581/18

CONOP 98
CODUN 36
COARM 289
CFSP/PESC 985
COSI 288
ENFOPOL 565

OUTCOME OF PROCEEDINGS

From:	General Secretariat of the Council
On:	19 November 2018
To:	Delegations
No. prev. doc.:	13498/18
Subject:	Council Conclusions on the Adoption of an EU Strategy Against Illicit Firearms, Small Arms & Light Weapons & Their Ammunition - Council Conclusions (19 November 2018)

Delegations will find in the Annex the Council Conclusions on the Adoption of an EU Strategy Against Illicit Firearms, Small Arms & Light Weapons and their Ammunition, adopted by the Council at its 3652nd meeting held on 19 November 2018.

13581/18

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Firearms and SALW
European Council (2019)

In recent years there has been growing concern regarding the illicit trafficking of firearms within the EU and the threat these weapons represent to the security of EU citizens. Recent terrorist attacks and criminal acts using illegal arms are currently partially shifting the focus from illicit use and transfers of these weapons outside the EU borders to illicit flows to and within the European Union.

In 2020, the European Commission adopted a new "action plan on firearms trafficking". This action plan contains four major priorities. The first priority is to safeguard the licit market and limit diversion of firearms from the licit to the illicit market, for example by following up on the correct transposition of the EU Firearms Directive by the member states and by analysing how to best address emerging and future threats such as 3D printing of firearms. The second priority is to build a better intelligence picture of firearms trafficking into and within the EU, for example

by taking actions to establish a systematic and harmonised collection of data on firearms seizures across the EU and by exploring the feasibility of rolling out a tool to track firearms-related incidents in real time. The third priority is to increase pressure on criminal firearm markets, for example by urging the member states to establish fully staffed and trained Firearms Focal Points within their borders and by improving cooperation between law enforcement and parcel and postal operators to ensure stricter oversight of shipments containing firearms or their components. The final priority is to step up international cooperation, especially with countries in Southeast Asia and the Western Balkans, as well as Ukraine and Moldova, but also with countries in the Middle East and North Africa.

Quiz

View quiz at <https://eunpdc-elearning.netlify.app/lu-10/>

5. Recent developments and new challenges

Especially in the aftermath of armed conflict, the availability of and access to weapons can greatly intensify existing conflicts. When armed conflict ends, citizens often experience insecurity, especially as the rule of law and security sector institutions are in the process of being (re-)established and trust in institutions is usually absent. Consequently, citizens often acquire or retain small arms for self-defence in anticipation of potential violence, an action which itself may lead to a rapid return to violence, as well as fuelling criminal and terrorist activities. Thus, establishing effective control over small arms (including their stockpiles) in post-conflict settings is crucial for fostering peace and security in these contexts and beyond.

Considerable progress has been made since the issue of small arms and light weapons appeared on the international community's agenda in the 1990s. The adoption and implementation of several regional agreements represent significant advancements. At the UN level, a number of important instruments, such as the Firearms Protocol, the UN Programme of Action and the Arms Trade Treaty, have been developed to address the proliferation of small arms and light weapons. The basic idea behind these international initiatives is to stop deadly weapons ending up in the wrong hands. Initially, these instruments mainly focused on combatting the illicit manufacturing and trafficking of small arms and light weapons in an attempt to prevent non-state actors, such as insurgents, rebel groups, terrorists or criminals, from accessing these weapons. Less international policy attention has traditionally been given to preventing authorised transfers of small arms and light weapons that might have negative humanitarian consequences in the recipient country.

While much progress has been made in recent decades, there is still a long way to go. In 2000, when international policy attention was beginning to shift to the uncontrolled spread of small arms and light weapons, the UN identified a number of important obstacles: the lack of capacity by some states, the irresponsible behaviour of others, and the shroud of secrecy that veils much of the arms trade. Today, these obstacles can still be considered significant challenges for effective humanitarian arms control.

First of all, some countries lack the capacity to implement legislation and agreements effectively. In order to have a significant impact, it is important to go beyond just another set of commitments on paper. Often, however, conflict-prone countries in particular do not possess the financial and administrative

resources needed to implement international and national instruments aimed at controlling the undesired proliferation of small arms and light weapons. For these countries, controlling their territorial borders, marking and tracing weapons, implementing effective stockpile management programmes, and detecting and seizing illicitly transferred weapons frequently proves to be problematic. Yet, even in high-income countries that have not experienced armed conflict, capacity problems have been identified, often due to the fact that tackling the issue of SALW proliferation has not been made a political priority.

Capacity problems have been exacerbated by a number of recent technological developments in the design and manufacturing of firearms, such as the increased use of polymers to produce firearm frames and receivers. In the last few years, 3D printing of firearms has also become much more of a problem. Ranging from basic models to more sophisticated ones, 3D-printed small arms can be produced relatively cheaply and, because these weapons do not have serial numbers, they are currently almost impossible to trace (and are therefore often referred to as "ghost guns"). New technological developments thus make it easier to bypass state controls on firearms. At the same time, technological developments can also provide new and better options for the control of small arms and light weapons with regard to, for example, the marking and record-keeping of these weapons, better stockpile management possibilities and more opportunities to prevent the unauthorised use of these weapons. A wide range of available technologies have been identified as potentially relevant for preventing diversion of SALW. They also enable stakeholders to set up early warning mechanisms, as well as enhance transparency, cooperation and trust.^[1] Technology can also contribute to strengthening data collection and data analysis, particularly artificial intelligence (AI).



3D-printed prototype of a "FGC-9" semiautomatic carbine
JStark1809/Deterrence Dispensed/Wikimedia, CC BY 4.0

Another serious challenge is the lack of good data. Research based on reliable data can support evidence-based policy, while a good intelligence picture is needed for effective law enforcement actions to counter the trafficking of SALW. Yet, reliable, comprehensive and detailed data on seizures of SALW is lacking in most countries across the world. As a result, the intelligence picture on the trafficking of these weapons is inadequate. Moreover, much of the research on arms acquisition by non-state actors relies heavily on case studies and anecdotal evidence rather than hard data. This hampers the development and improvement of effective and efficient policy instruments.

A final key challenge here is the irresponsible behaviour of some states. While an overwhelming majority of countries voted in favour of the Arms Trade Treaty and many states have already signed and ratified the Treaty, other countries have not done so, including some of the largest arms exporters in the world. It is vital that the challenge of universalising the ATT is addressed in order to achieve its objectives. Yet, equally challenging is the actual implementation of the Treaty. Having a strong document is one thing, implementing it is something else.

Experience in the EU has shown that despite the adoption of ethical norms, economic and geopolitical interests may jeopardise responsible behaviour of states. While the EU has adopted one of the most developed arms export control systems in the world, several EU member states continue to authorise the export of SALW to countries engaged in armed conflict and to conflict-prone regions.

The uncontrolled proliferation of small arms and light weapons is globally acknowledged as a serious threat to peace, security and sustainable development. In recent decades, many international, EU and regional instruments were developed to prevent these very lethal weapons ending up in the wrong hands. We can conclude that while much progress has been made in some areas, a number of key challenges remain and these need to be dealt with in order to tackle the uncontrolled proliferation of small arms and light weapons and contribute to a more peaceful global society.

Relevant websites and further reading on specific issues

Arms Trade Treaty

[<https://thearmstradetreaty.org/>]

Firearms Protocol

[https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=I-1&chapter=1&clang=_en]

UN Programme of Action on small arms and its International Tracing Instrument

[<https://disarmament.unoda.org/convarms/salw/prgramme-of-action/>]

EU Arms Export Control – Arms Trade Treaty

[https://www.eeas.europa.eu/eeas/arms-export-control-arms-trade-treaty_en]

control-arms-trade-treaty_en]

COARM Database on Arms Exports

[<https://webgate.ec.europa.eu/eeasqap/sense/app/75fd8e6e-68ac-42dd-a078-f616633118bb/sheet/74299ecd-7a90-4b89-a509-92c9b96b86ba/state/analysis>]

Relevant research organisations

Armament Research Services

[<https://armamentresearch.com/>]

Conflict Armament Research

[<https://www.conflictarm.com/>]

Flemish Peace Institute

[<https://www.flemishpeaceinstitute.eu>]

SEESAC [<https://www.seesac.org/>]

Small Arms Survey

[<https://www.smallarmssurvey.org/>]

Further reading

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UNIDIR (2018), *The International Tracing Instrument: Examining options to support operationalization*, Geneva: UNIDIR.

1. Grand-Clément, S./Cops, D 2023 : “Technologies to counter the diversion of small arms and light weapons, and components of conventional weapons”, Flemish Peace Institute and UNIDIR.