

The truth about the Arms Trade Treaty

Debunking the NRA's lies

February 2013

The National Rifle Association (NRA) and its allies have mounted a campaign of lies and deliberate distortions to build American opposition to an international Arms Trade Treaty (ATT) that will keep weapons out of the hands of human rights abusers around the globe. Here are the facts that set the record straight.

- The massive and poorly regulated global trade in arms and ammunition continues to threaten the security and rights of millions of people around the world, exposing them to death, rape, assault, and displacement.
- The ATT establishes legally binding arms export standards, similar to those in the US, for the international transfer of conventional weapons. The standards will help keep weapons out of the hands of those who would use them for human rights abuses or war crimes, or to stall development.
- The ATT being negotiated at a UN gathering of countries in March does not infringe on the Second Amendment to the Constitution, nor does it hamper the ability of the US to defend itself or its allies.
- The ATT will prevent the irresponsible sale, gift, or lease of weapons and ammunition across borders and will close the many loopholes unscrupulous traders now navigate with impunity.

Stand with truth and justice. Support the Arms Trade Treaty.



THE SECOND AMENDMENT

The lie:

[E]very gun owner concerned about the future of our Right to Keep and Bear Arms should be aware that the United Nations and the global gun eradication movement are attempting to eliminate our Second Amendment freedoms by drafting a U.N. Arms Trade Treaty.” — May 25, 2012, story on the National Rifle Association’s Institute for Legislative Action web siteⁱ

The truth:

The ATT explicitly states that it has no impact on the domestic ownership or domestic transfer of arms. In fact, no international treaty can override US constitutional rights, including Second Amendment rights.

The current draft treaty states that it is the “sovereign right and responsibility of any State to regulate and control transfers of conventional arms that take place exclusively within its territory, pursuant to its own legal or constitutional systems.”

The treaty also takes note of “the legitimate trade and use of certain conventional arms, inter alia, for recreational, cultural, historical, and sporting activities and lawful ownership where such ownership and use are permitted and protected by law.”

TRACKING

The distortion:

[The treaty has] numerous calls for record-keeping, and firearms tracking from production to eventual destruction. That’s nothing more than gun registration by a different name. — Wayne LaPierre, executive vice president of the NRAⁱⁱ

The truth:

The draft treaty does not require individuals to register weapons nor does it require countries to track weapons after they enter the stream of commerce. The treaty addresses the official export and import of weapons by nations. It requires each importing state party to “adopt appropriate measures to prevent the diversion of imported conventional arms under the scope of this Treaty to the illicit market or for unauthorized end use.” The record-keeping requirements meet current US law and are limited to “export authorizations or actual exports of the conventional arms under the scope of this Treaty.” The US already meets these requirements and maintains such records aimed at keeping weapons out of illicit markets. No change in US policy or practice is required to implement this section of the draft treaty.

REPORTING TO THE UN

The lie:

[T]he Arms Trade Treaty risks imposing costly regulatory burdens on United States businesses, for example, by creating onerous reporting requirements that could damage the domestic defense manufacturing base and related firms. — House Resolution 814, Nov. 16, 2012ⁱⁱⁱ

The truth:

The treaty will not require any additional regulatory burdens or reporting by US companies. The US already has one of the world's most transparent reporting systems for arms transfers. The State Department currently publishes a Congressionally mandated public report—the Section 655 Military Assistance Report—that lists the value and quantity of defense equipment and services sold to each foreign country from US arms and defense manufacturers. The US also annually reports to the UN Register of Conventional Arms. The treaty will not require any additional reporting by US companies.

SECURITY CONCERNS

The distortion:

The Arms Trade Treaty places free democracies and totalitarian regimes on a basis of equality, recognizing their equal right to transfer arms, and is thereby dangerous to the security of the United States. — House Resolution 814, Nov. 16, 2012^{iv}

The truth:

On the contrary, what this treaty does is enhance the security of the US by extending standards similar to those in US law to all nations, regardless of their political systems, in order to prevent bad actors from the careless transfer or misuse of weapons. Under international principle of sovereign equality, any country, be it a democracy or a totalitarian regime, is allowed to export weapons unless it has been sanctioned or has voluntarily limited its sovereign right to export weapons. The ATT will operate in the context of this current international law.

DEFLECTION OF RESPONSIBILITY

The distortions:

- *[T]he ATT will effectively bind only the democracies that accept it.*
- *The ATT ... will have more in common with the U.N.'s aspirational treaties on human rights, which repressive regimes use to deflect attention from their misdeeds by pointing to supposed U.S. ... violations.* — Theodore Bromund, Heritage Foundation, June 4, 2012^v

The truth:

Like any other treaty, the ATT will bind all countries that adopt it and will send a strong message to those that don't. Countries that violate the treaty law will face international pressure and condemnation. Elevating the rest of the world to something close to US standards is key to defining appropriate behavior to which bad actors can be held accountable. While the US already has strict controls on arms transfers, there is no *international* law making arms trafficking to human rights abusers or war criminals illegal. The ATT will for the first time hold countries that facilitate abusive actions through arms sales accountable.

ⁱ <http://www.nra.org/legislation/federal-legislation/2012/5/tester-moran-amendment-to-block-use-of-taxpayer-money-to-lobby-for-un-gun-ban-passes-by-voice-vote>.

ⁱⁱ <http://home.nra.org/iphone.aspx/blog/253>.

ⁱⁱⁱ <http://beta.congress.gov/bill/112th-congress/house-resolution/814/text>.

^{iv} <http://beta.congress.gov/bill/112th-congress/house-resolution/814/text>.

^v <http://www.heritage.org/research/reports/2012/06/arms-trade-treaty-and-the-sovereignty-of-the-united-states>.