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FOR DISARMAMENT RESEARCH

**Promoting Discussion on an Arms Trade Treaty  
European Union–UNIDIR Project**

**Regional Seminar for Countries  
in the Middle East**

**28–29 July 2009  
Amman, Jordan**

**SUMMARY REPORT**

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## **Introduction**

As an autonomous research institute of the United Nations specializing in matters of disarmament and security, the United Nations Institute for Disarmament Research (UNIDIR) promotes creative thinking and dialogue on the disarmament and security challenges of today and of tomorrow, through research projects, publications, and other various activities.

Following a decision by the Council of the European Union (2009/42/CFSP) “on support for EU activities in order to promote among third countries the process leading towards an Arms Trade Treaty, in the framework of the European Security Strategy”, adopted on 19 January 2009, UNIDIR is implementing a project for the EU around an Arms Trade Treaty (ATT). It aims at integrating national and regional contributions to the international process underway on an ATT and to contribute to identifying the scope and implications of a treaty on the trade in conventional arms. This is done through a series of regional seminars, organized in different parts of the world to provide states, regional organizations and civil society with additional fora in which to exchange opinions and share their views, which will serve as an important input to current discussions on an ATT as well as support and stimulate related national, regional and international debates.

Previously, UNIDIR organized regional seminars under this project in Dakar, Senegal, for countries in Central, Northern and Western Africa on 28–29 April 2009, and on 18–19 June 2009 in Mexico City for countries in the Americas and the Caribbean.

This paper provides a summary of the third regional seminar of the project held in Amman, Jordan, for countries in the Middle East,<sup>1</sup> held on 28–29 July 2009. We are presenting its proceedings and discussions, as well as the ideas and suggestions put forward. The report reflects the impressions and views of the organizers at UNIDIR, based on our account of the presentations and discussions of the seminar. This report is not intended to be a consensus report, and it therefore does not necessarily represent the views of all seminar participants.

The seminar brought together representatives from nine countries in the region, representing Ministries of Foreign Affairs, Defence and Interior, as well as other institutions (see annex A).

The agenda of the two-day seminar was developed to give participants a general overview of an ATT, its background and actors, as well as scope and implications, together with specific regional views and priorities, and related processes. Also, an important aspect of the agenda was to ensure that it has enough room for interactive discussions to gather ideas for further action, recommendations and suggestions. The first day of the seminar heard presentations from several expert participants, while the second day was largely built around working group sessions and discussions in the plenary session. This gave participants the opportunity to express their ideas and priorities and to make recommendations related to their specific interests and concerns.

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<sup>1</sup> Invited countries: Bahrain, Egypt, Iran, Iraq, Jordan, Kuwait, Lebanon, Oman, Qatar, Saudi Arabia, Syria, Turkey, United Arab Emirates and Yemen.

## **Presentations and discussions**<sup>2</sup>

### **DAY 1**

#### **Opening presentations**

Presiding over the opening session, Dr. Christiane Agboton-Johnson, Deputy Director of UNIDIR, welcomed all participants to the seminar, said a few words on behalf of the Institute and briefly introduced the EU–UNIDIR project “Promoting Discussion on an Arms Trade Treaty”. She referred to the overall objective of the project, which is to promote the participation of all stakeholders in the discussions around an ATT and to integrate national and regional approaches to the international process underway. She noted that UNIDIR, following its mandate, is encouraging multilateral and comprehensive participation of all stakeholders so as to increase the awareness of relevant actors and to facilitate the exchange of views concerning a possible ATT. Dr. Agboton-Johnson also referred to the Middle East as a region heavily impacted by the destabilizing political, economic and humanitarian effects of conventional weapons, and acknowledged the efforts already made in the region in demining and to reinforce regional security. Finally, she reminded all participants about the primary importance of remaining committed to human security by noting that time is no longer on our side and that urgent action is needed if we want the next generation to live in peace and without violence.

As the first keynote speaker of the seminar, His Royal Highness Prince Mired bin Ra’ad Al-Hussein addressed the participants on behalf of Jordan, welcoming everyone to Amman and wishing the seminar full success. In his remarks, Prince Mired, Chairman of the Jordanian National Committee for Demining and Rehabilitation, drew upon his long-standing expertise and involvement in the eradication of landmines and unexploded ordnance, highlighting parallels between the Ottawa Convention and the ATT process and underlining some lessons learned from the area of landmines that might be of importance for an ATT. With the Ottawa Convention, he noted that the real challenge turned out to be not the adoption of the Convention itself, but turning legal and political commitments into concrete actions. This is likely to be the same for an ATT. Prince Mired also mentioned the question of universalization and the dilemma between ambitious versus more modest common standards: if standards for a treaty are set too high, acceptance of a treaty by many states may not be forthcoming. On the other hand, if the standards are too low, the goals of a treaty may not be met. He also noted that human security is critical in an ATT and an issue that should be at the forefront of the current campaign. Finally, he noted that even though in his view the way forward for an ATT will undoubtedly be challenging, possibly at times even frustrating, with the right measure of perseverance, courage, continued dialogue and hard work, the noble goals of an ATT can and will be achieved. In this, Prince Mired mentioned especially the critical role that a diversity of players, civil society and even committed celebrities can have in advancing policy processes.

Ambassador Bertil Roth of Sweden gave his opening remarks on behalf of the Swedish Presidency of the European Union. He thanked Jordan for hosting the seminar and UNIDIR and the EU Council Secretariat for their efforts in organizing it, and introduced

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<sup>2</sup> See the agenda of the seminar, annex B.

the seminar against the background of the entire EU–UNIDIR project plan. The lack of an effective system to regulate the trade in conventional arms, including small arms and light weapons, in all parts of the world is an issue of great concern and a problem that affects all states. It facilitates the possibility of diversion of these arms into illicit markets, which is well known to cause instability and human suffering, and fuel international terrorism and crime across the world. Ambassador Roth also referred to the ongoing meetings of the Open-Ended Working Group (OEWG) and its discussions and noted that the EU, together with many countries, believes that the best way to address this problem is to create a global, legally binding treaty that establishes the highest possible common international standards for the export, import and transfer of conventional weapons. Such regulation would significantly reduce the possibilities for diversion and thereby also decrease its problematic consequences. A consensus to this effect is also emerging from the OEWG discussions.

Finally, Ms. Jacinta Barrins from the United Nations Development Programme (UNDP) welcomed all participants to Amman on behalf of the UN family in Jordan. She referred to the seminar as timely and important, also against the recent launching of the 2009 Arab Human Development Report that places high importance on human security and encourages countries in the region to look into broader aspects of the many challenges and responses related to human security in the Middle East. She noted that an ATT would be an example of putting it into practice. Ms. Barrins also referred to the active role of Jordan and the leading role of His Royal Highness Prince Mired Bin Ra'ad Al-Hussein in many disarmament and arms control processes, once again demonstrated by the country's readiness to host this meeting. She noted that soliciting views from the Middle East is essential and a vital step to ensure that the goals and objectives of the proposed ATT will be met.

Following the official opening remarks, Ms. Pamela Maponga from the United Nations Office for Disarmament Affairs (UNODA) gave a presentation about the recent developments within the United Nations related to the ATT initiative. Ms. Maponga briefly gave an overview of the process, starting with the adoption of resolution 61/89 of 6 December 2006, followed by the Secretary-General's report on the subject in 2007, the work of the 2008 Group of Governmental Experts (GGE), as well as the ongoing meetings of the OEWG. She noted that while divergent views still persist regarding the scope and draft parameters of the potential treaty, there is growing understanding and agreement regarding its goals and objectives. States agree that there are serious problems with the current conventional arms trade and that these need to be addressed.

Finally, Mr. Fadi Abi-Allam from the Permanent Peace Movement of Lebanon made a statement about civil society's contribution to the ATT process in the Middle East region. He underlined especially the tremendous suffering caused to civilian populations that fall victim to armed violence caused by weapons from unknown origins. Echoing some of the earlier presentations, Mr. Abi-Allam noted that human security should be placed at the core when addressing regulation of the conventional arms trade. He also talked about two civil society meetings that took place prior to the Amman seminar in Cairo and Beirut to discuss development, disarmament and the ATT initiative. The meetings concluded that it is a high time to consider at the UN level all possible peaceful means to address problems related to the uncontrolled spread of weapons. According to civil society, weapons should not be commodities that can be traded freely, and in addition to existing regional agreements and instruments, more international controls are needed. Mr.

Abi-Allam noted that according to civil society actors, an ATT should cover all conventional weapons and all kinds of transfers. A treaty should also have an implementation mechanism and a system to ensure transparency. Cooperation to address these issues is needed, since individual laws and national action are not enough. Finally, Mr. Abi-Allam referred to the OEWG discussions and, from the civil society perspective, encouraged all countries to raise their voices, priorities and concerns at the United Nations.

### **General overview of arms transfers and the proposed ATT**

To start discussions about arms transfers and the proposed ATT, Mr. Sam Perlo-Freeman from the Stockholm International Peace Research Institute (SIPRI) made a presentation about SIPRI's work on the scale and nature of the international arms trade globally and especially with regard to the Middle East. He noted that the Middle East is a region of high military expenditure relative to gross domestic product, and it has correspondingly high levels of arms imports. Furthermore, after several years' decline, recently there has been an increase in the volume of deliveries to the region, said to be driven by a combination of strong economic growth, high oil prices, and increasing insecurity due to the various armed conflicts and regional tensions. Few countries in the Middle East have significant indigenous defense industries, resulting in the extensive use of foreign-supplied armaments in conflicts in the region, supplied by a handful of arms-producing countries. Mr. Perlo-Freeman also pointed to the low level of transparency in arms transfers in the region, and noted that only a few states in the Middle East participate on a regular basis in the UN Register of Conventional Arms.

Moving more specifically towards the proposed ATT, Ms. Perrine Le Meur from the Fondation pour la Recherche Stratégique (FRS) discussed the possible parameters, scope and implications of the proposed treaty. Building on the presentation by Ms. Maponga in the opening session, Ms. Le Meur quoted the mandate given by the UN General Assembly in this regard, and referred to the seven categories of the UN Conventional Arms Register together with additional categories of SALW, ammunition and, for example, dual-use goods as a possible basis for scope of an ATT. As possible activities to be covered in an ATT she listed exports, imports, transfers, brokering re-exports, transits and gifts, and noted that in her view the range of activities to be covered by an ATT must be clearly and precisely defined. Ms. Le Meur also discussed the possible parameters of an ATT, aiming at establishing global standards, evaluated objectively on a case-by-case basis. As parameters she mentioned criteria based on security concerns and on ethical considerations, pointing to the need to respect existing obligations, take into account the potential end user of the transferred weapons, their likely use and possible impact on regional and international security and stability. Finally, she noted that in order to be effective, a treaty should be universal, include major importers and exporters of conventional arms, be realistic and be actively implemented at national and regional levels.

### **Some components on the proposed ATT and its links with other instruments**

In the afternoon of the first day of the seminar, participants heard further presentations about the proposed ATT and its links with existing instruments. Ms. Elli Kytömäki from UNIDIR started by presenting the main outcomes of the first two regional seminars organized as part of the EU-UNIDIR project in Dakar and in Mexico City. She noted

that in the Dakar seminar, organized for countries in Central, Northern and Western Africa, participants highlighted as priorities the need for an ATT to prevent illicit SALW transfers in the region, which currently are fuelling conflict and undermining human security in many African countries. During the Dakar seminar discussions, calls were made for an ATT to have a comprehensive scope covering all conventional arms and to be based on globally accepted parameters. Transparency was highlighted as an important principle that should guide arms transfer decisions in the proposed ATT. On challenges, participants in Dakar noted that it will be important to ensure that economic interests of both arms exporters and importers are adequately addressed in an ATT, and that the proposed treaty takes into account the diverse priorities and concerns of countries in different regions. Regarding the seminar held in Mexico for countries in the Americas and the Caribbean, Ms. Kytömäki noted that human security and armed violence were highlighted by several participants as one of the priority areas of concern for the regions. Small arms and light weapons (SALW) and associated ammunition were noted to be of primary importance, and participants referred to the need to include comprehensive categories of weapons in an ATT. As in Dakar, transparency was noted as a key element in a future treaty, and participants underlined the importance of building on already existing regional arrangements. A call was made for a universal, comprehensive and creative ATT that would ensure global participation, yet remaining practical and effective.

The issue of transparency was further elaborated in a presentation by Mr. Yuriy Kryvonos, Political Affairs Officer from UNODA, who served as the Secretary of the 2009 GGE on the UN Register of Conventional Arms. In his presentation, Mr. Kryvonos highlighted some aspects relating to the operation of the Register in order to give participants some food-for-thought on how experiences acquired in its functioning could be used in discussions around an ATT. He noted that the Register remains the only global UN instrument that covers such matters as the export and import of conventional arms, including SALW, and therefore it is a unique transparency mechanism that could and should contribute to a potential ATT. The mechanism of transparency established by the Register consists of annual submission of national reports that are open to the public, something that an ATT could foresee as an element of a more comprehensive mechanism. With regard to the scope of the Register and that of the possible ATT, Mr. Kryvonos noted that definitions of the seven categories of major conventional arms and SALW currently covered by the Register should be considered for an ATT to make them more inclusive and to ensure its comprehensiveness. Finally, he concluded that the Register, aiming at universal participation, could ease movements towards an ATT and its future implementation. Therefore, these two processes should continue in parallel and support each other.

### **Regional perspectives on an ATT**

The last session of the first day of the seminar concentrated on regional perspectives relevant to the proposed ATT. As the first presenter, Mr. Fadi Achaia from the Secretariat of the League of Arab States presented the League's efforts and activities in the area of conventional arms, especially with regard to combating the illicit trade. He introduced some relevant regional instruments, and then concentrated on the Arab states' views and perceptions about the ATT initiative as reflected in their national submissions to the UN Secretary-General. According to Mr. Achaia, Arab states have noted that an ATT should be a non-biased and non-discriminatory treaty that is based on the principles

of the UN Charter and is consistent with them. It should be within the framework and regulations of the UN and remain without prejudice to the priorities accorded to disarmament. An ATT should reflect the different responsibilities of producers, exporters and importers of arms and be transparent. Mr. Achaia also reflected some Arab states' views about the possible negative impacts should an ATT become unbalanced. He noted that this would weaken international efforts to regulate the arms trade, have unwanted consequences on the licit market and strengthen the illicit market. Subjective criteria would lead to differing interpretations and political confrontation, which would risk a treaty to fall short of universality.

To add an element of interregional exchanges to the discussions, Ms. Carolin J. Thielking from the Federal Foreign Office of Germany presented a European example of operationalizing arms transfer criteria, the EU Common Position. As a legally binding instrument within the EU, the Common Position defines common rules for EU member states governing control of exports of military technology and equipment. According to its provisions, EU states assess export licence applications for items on the EU Common Military List, which defines the military goods that are subject to export controls, on a case-by-case basis against eight criteria that member states are to follow in their transfer control decisions. These criteria include respect of human rights and international humanitarian law, national security considerations and risk of diversion. The decision to transfer or deny export licence applications remains at the national discretion of each EU member state. Ms. Thielking also talked about the implementation mechanisms in place to ensure that countries in the EU follow the Common Position. These comprise of transparency measures, exchange of information and consultations, regular meetings and contacts, as well as a user's guide that provides agreed guidance for licensing officers on the interpretation of the criteria. She concluded that the Common Position in the EU has led to greater convergence in the field of responsible arms exports, better management of member states' responsibility risk, increased mutual trust, and a constant process of dialogue and learning.

Presentations were followed by question and answer sessions and general discussion in the plenary session.

## **DAY 2**

### **Other ideas discussed as part of the proposed ATT**

On the morning of the second day, participants heard presentations by two further participants.

First, Mr. Sherif Azer from the Egyptian Organization for Human Rights discussed the proposed ATT from the human rights perspective. After listing the relevant international human rights instruments he noted that human rights non-governmental organizations (NGOs) are mostly concerned with the "substantial risk" of the use of weapons in committing "serious" human rights violations, and went on to describe how these different terms should be defined and interpreted. According to Mr. Azer, an ATT should aim for preventing serious human rights violations and irresponsible international arms transfers. It should also make sure that military and security equipment are used according to international standards. An ATT should not be a punishing tool based on

countries' human rights records. Indeed, he noted that an ATT is not designed to be a blacklisting tool that would prevent states from receiving any conventional arms and ammunition. He also noted that states' past human rights breaches should not affect its treatment under a possible treaty. As many other speakers, also Mr. Azer talked about the need for an ATT to be fair and objective, ensured by prior assessment processes, case-by-case assessments and the collection of reliable information from credible sources.

Ms. Camilla Waszink from the International Committee of the Red Cross (ICRC) presented the ICRC's views on arms availability and international humanitarian law (IHL), especially as those relate to the proposed ATT. According to the ICRC, an ATT should include the following elements based on states' existing IHL obligations: including states' obligation to "respect and ensure respect" for IHL under Common Article 1 to the Geneva Conventions: a requirement not to transfer arms or ammunition likely to be used to commit serious violations of IHL; a requirement not to transfer weapons or ammunition that are of a nature to cause superfluous injury or unnecessary suffering; and a requirement not to transfer weapons or ammunition the use of which use has been prohibited. Ms. Waszink noted that the application of arms transfer criteria requires rigorous and systematic case-by-case evaluations and establishment of indicators and factors to be considered, since criteria based on "likely use" of weapons or equipment is less straightforward than express limitations such as UN arms embargoes or existing treaty-based prohibitions. The ICRC has developed a Practical Guide to facilitate the application of IHL criteria. It defines "clear risk" and "serious violations", and proposes indicators as a basis for guidelines for those responsible for licensing decisions.

### **Working groups and roundtable discussions**

Apart from the first session in the morning, the second day of the seminar was built around working group sessions and discussions at the plenary session, aimed at allowing participants to further express their views and ideas and to discuss different issues relevant to a possible ATT.

In the beginning of the working group session, seminar participants were divided into three groups that were presented with four questions related to the trade in conventional arms and the proposed ATT, and asked to come up with opinions, ideas and suggestions. Issues discussed included participants' views about problems related to the uncontrolled trade of conventional arms in their countries and in the region and possible ways to address them, about common principles (parameters) for the proposed ATT, as well as potential elements that could/should be included in an ATT to make it effective, objective and practically implementable. Finally, participants were also asked to think about the next steps in the ATT process nationally, regionally as well as internationally, and to identify priorities and challenges ahead.

Priority issues and concerns discussed in the working groups and during the roundtable session on the next steps are summarized in the "Recommendations and ideas" section of this report. Overall, participation in the working groups and the following plenary discussions was very lively and resulted in many points and suggestions that hopefully will be reflected in the following international discussions.

## **Closing session**

The closing session was chaired by Dr. Christiane Agboton-Johnson of UNIDIR. In her remarks, she thanked all participants, Jordan and the European Union for excellent cooperation. She noted that by participating in the seminar, the region has confirmed its interest in the ATT process and expressed willingness to share views, concerns and ideas about the process and its future, all of which will be extremely valuable in the OEWG discussions.

Ms. Elli Kytömäki then gave a short summary presentation of the seminar's proceedings and discussions, pointing to the different presentations, discussions, recommendations and ideas. Mr. Fabio Della Piazza from the Secretariat of the Council of the European Union delivered the EU's closing remarks. He reminded the participants that an ATT is designed to be an international treaty with global participation, and noted that by creating common rules for the trade in conventional arms it would establish a solid and objective system setting all countries on equal footing.

Finally, Ms. Saja Hajani from the Ministry of Foreign Affairs of Jordan thanked all participants for their active participation in the seminar discussions, as well as the European Union and UNIDIR for having organized the seminar. She encouraged all participants to stay involved in the process, looking forward to the continuation of the OEWG meetings in 2010–2011.

Following the closing session, a press conference was held to report the general outcomes of the seminar and to allow for media representatives to ask questions. Press representatives were especially interested in the process around the ATT initiative and its implications for the Middle East region.

## **Recommendations and ideas**

The following is a compilation of ideas and recommendations put forward during the seminar presentations and discussions. While not necessarily fully consensual, these issues seemed to attract general support and acceptance among seminar participants and could be used to feed into and support the ongoing international discussions on an ATT from the regional perspective of countries from the Middle East that attended the seminar.

### **Need to build on existing commitments and carefully study scope and parameters**

In terms of global parameters, many participants emphasized the central role of the UN Charter and other existing relevant documents. Some noted that possible useful elements for a treaty could be taken from UN Security Council resolutions, including on embargoes; however, some participants raised concerns over this suggestion. Some time was also devoted to discussing the general principles of international law, existing agreements and their implementation and interpretation. Participants noted that an ATT should not contravene international treaty or customary law or previously agreed international instruments. On a national level, relevant legislation regulating the arms

trade and transfers of arms exists in the majority of Arab states. Nevertheless, improvements were noted to be needed in some cases.

Participants seemed to agree that any possible treaty should ensure states' inherent rights to produce, export, import and transfer conventional arms according to their specific needs. Also the right of self-determination and the right of self-defence were stressed on many occasions. Respect of IHL, human rights and refugee law, as well as conventions and instruments for the protection of civilians in times of war or armed conflict, were mentioned as important principles guiding the formation of a possible ATT. It was noted that before deciding on a treaty's actual parameters, their added value should be carefully considered.

With regard to the types of weapons to be covered in the proposed treaty, many participants called for a broader scope than the seven categories currently covered by the UN Register of Conventional Arms. It was also noted that weapon categories covered by a treaty should be open for periodical review. Some participants mentioned that in their view, a treaty should not include references to prohibited weapons, weapons of mass destruction or anti-personnel mines. One participant expressed concern about the inclusion of SALW in the treaty's coverage, since according to the participant the trade in these weapons is already controlled by other instruments.

With regard to transfers to non-state actors, some participants posed questions as to whether an ATT should tackle this issue or whether the responsibility to control this aspect should remain only with states themselves. Also issues of collective security, especially in cases of humanitarian intervention, were mentioned as challenges for a possible treaty and issues that will require further elaboration.

### **An ATT: objective, practical and balanced**

Participants stressed that when discussing a possible ATT, a comprehensive and balanced approach should be ensured to avoid politicization of the treaty and the creation of double-standards in implementing arms transfer criteria.

In terms of the implementation of the proposed treaty, many participants emphasized the importance of objectivity, and noted that the possible treaty should contain a verification and accountability mechanism. Many participants said that the parameters of a possible treaty should not be open to interpretation or too much flexibility, but that it would be imperative to have clear and firm standards to avoid their misinterpretation, which could lead to biased decision-making under a treaty regarding whether to grant or deny licenses to certain countries. It was noted that any possible ATT should ensure mutual transparency and be non-discriminatory and non-biased. It should also recognize that disclosing some military information in sensitive situations might have unforeseen and negative consequences.

The non-discriminatory application of a treaty's parameters was noted as an essential principle to grant the effectiveness of its implementation, and a treaty has to ensure that no country's right to acquire arms will be limited or violated. One working group also noted that when using sensitive parameters under a treaty, safeguards should also be introduced to avoid the treaty's misuse or politicization. It was pointed out that there should be no veto possibilities in such a treaty.

It was also noted that states should not exaggerate the complexity or sophistication of the proposed treaty's parameters, but that they should be made simple and easy. More emphasis should be based on the possible future application and interpretation of what are referred to as global parameters.

The possibility of looking at already existing best practices and instruments such as the EU Common Position and the EU Common Military List were also mentioned, together with the possibility of learning from the functioning of the transparency regime of the UN Register of Conventional Arms.

### **Recognizing regional specificities and needs**

Priorities in the Middle East relevant to the proposed ATT are very much linked to the heavy impacts of the destabilizing political, economic and humanitarian effects of conventional weapons, due to the specific security situation and its longstanding destabilizing impacts on the countries in the region.

Some participants were cautious about a treaty's possible legally binding nature, while others attached importance to having a legally binding treaty in order to better guarantee its effective implementation. It was noted that any possible treaty should take into account regional and national specificities from early on in the discussions and negotiation process, since it was noted that this is the only way in which a treaty can become truly global and inclusive. It was noted that no one regional agreement could be taken as a single source for an ATT, and that current regional arrangements as such are insufficient to deal with the problems at hand. Part of the problem in current situations is the absence of equity in arms transfer decisions. It was noted that a truly universal ATT could help address this problem.

During the seminar discussions, questions were raised about whether these multiple challenges facing the region in terms of the arms trade and proliferation would be best addressed by a legally binding treaty or through other kinds of arrangements. In this regard, a special tax for arms producing countries was suggested as a possibility.

Some participants pointed out that there are generally strict controls over weapons within the states in the region, and that some states in the region trade in arms only on a government-to-government basis and only competent governmental authorities are allowed to be involved. Hence no private importers or exporters are introduced in the process.

In many group discussions, problems of uncontrolled arms trade in the Middle East were noted to be related to smuggling, cases of diversion, uncontrolled civilian weapons and loopholes in border controls. The need for technical assistance and capacity-building in border controls and stockpile management were therefore stressed in some conversations, and some participants raised the question of whether an ATT should concentrate on combating illegal arms transfers and the diversion of transfers from legal to illicit markets.

Also the need for more cooperation in sharing information was mentioned on many occasions. It was noted that there are some encouraging bilateral programmes and cooperation ongoing in the region, and problems and further need for joint programmes

are more acute at the regional level. Some participants questioned whether the causes of smuggling of arms were a result of irresponsible arms transfers or leakages from government stockpiles.

### **Rights and responsibilities of both exporters and importers are equally important**

In the view of some participants, most responsibilities in arms transfer controls are currently placed on states importing weapons. As in the Dakar seminar, it was noted that exporters as well should be held responsible for their decisions regarding transfers of conventional arms. Equal rights should be guaranteed for both those states that export weapons and those that import them. Some scepticism was expressed regarding the ability of an ATT to apply such end-user criteria so as to reliably specify the purpose for which states are seeking to acquire arms.

It was also noted that in order to be efficient, a treaty should attract the biggest arms producers, exporters and importers to join and comply with it. Also participation from all regions and comprehensively from within all regions was mentioned as important for an ATT.

### **Next steps: continued dialogue, move towards concrete proposals**

Discussion about next steps in the ATT process brought forward a couple of main proposals for national, regional and international level action.

Continued dialogue was noted as the most important next step in the ATT process. The OEWG was welcomed as a forum for this kind of inclusive exchange of views, and many participants stressed the importance of ensuring wide participation in the OEWG discussions and intergovernmental consultations. The importance of keeping the process within the UN was stressed. Also, broadening the discussion base through organizing regional discussions and providing further fora for states to hear about the proposed ATT and express their views and concerns was very much welcomed. It was noted that the ATT initiative is a step-by-step process that requires the active involvement of all states that would be affected by a treaty.

Some participants pointed out that the lack of clear proposed parameters and concrete proposals on the substance of the possible ATT is a challenge to the process and may prolong the discussions about it. Many participants in Amman also called for a move towards more concrete proposals for a treaty, to get more details and information about what is being discussed and proposed. It was noted that at a certain point, like-minded groups of states should provide proposals and draft substantive parts of a treaty to contribute to its drafting. Sponsors of the ATT initiative were advised to take on board proposals from those states that expressed reservations, including those states that did not support the UN General Assembly resolutions on an ATT.

It was noted that once a treaty text is drafted it will be easier to study its content and implications. For example, questions were raised regarding ways to deal with situations, where one country would be part of an ATT and another one would not be bound by it. It was recommended that these kinds of scenarios be addressed in the early stages of the process. Also further discussions regarding a treaty's possible verification mechanism, accountability measures and proposed bodies to conduct them were called for.

It was pointed out in many discussions that agreeing on a possible treaty's parameters among all UN Member States will be challenging. Further challenges will be related to the ways and means of making a treaty effective and at the same time ensure that it will not be misused.

## **General results**

Overall, the third regional seminar of the EU–UNIDIR project, aimed at countries in the Middle East and held in Amman, Jordan, was a success. It fully met the goals set for it in the project plan to “Promote Discussion on an Arms Trade Treaty”. Nine of the 13 countries in the region invited to the seminar sent their representatives, mostly from Ministries of Foreign Affairs, Defence and Interior. Active participation and lively discussions during the seminar showed that countries in the Middle East are interested in the ATT initiative and wish to express their views and concerns regarding the proposed treaty. In this regard, the initiative by the EU and UNIDIR was warmly welcomed.

The level of participation was high: the seminar was opened by His Royal Highness Prince Mired bin Ra'ad Al-Hussein, and it was attended by several senior-ranking officers from the host country as well as from other countries in the region. Furthermore, representatives of the United Nations, the League of Arab States, as well as representatives of the Swedish Presidency of the European Union and the EU Council General Secretariat took part in the seminar. Also the chair of the OEWG on an ATT participated in the seminar, which was warmly welcomed by all and for its part strengthened the link between the project and the OEWG's work. In addition to regional and expert participants, the opening and closing sessions of the seminar were open to the participation of diplomatic representations in Jordan, as well as international and regional organizations, civil society representatives and the media.

The seminar attracted wide media attention in Jordan's Arabic- and English-speaking press. During the press conference, held immediately following the seminar's closing session, media representatives had the chance to ask further questions about the proposed ATT, its possible implications for the countries in the region and the role that media can play in this process. Audio recordings of the seminar presentations will be made available on UNIDIR's website.

During the two-day seminar, the presentations gave a comprehensive overview of the issues relevant to arms transfers in the Middle East. They also covered details of the proposed ATT, regional initiatives in the Middle East, and other related processes. Discussions following the presentations, as well as during the working group sessions, brought up additional aspects, comments and concerns, many of which are extremely relevant and important to the debate currently ongoing at the international level.

As in the other regional seminars, Amman participants received USB memory sticks with extensive background material relevant to an ATT, both in English and in Arabic, wherever available. This additional material, together with information brochures, publications and other hard copy materials made available during the seminar, were very well received. Many participants also expressed the wish to stay informed about the project's forthcoming seminars and to receive also the summary report.

At the end of the seminar, anonymous feedback forms were distributed to all participants. Based on the comments received, most representatives were in their own view either completely or partially aware of the ATT process before attending the seminar. Only two participants noted having only a vague idea of an ATT prior to attending the seminar. However, despite their generally high knowledge of the ATT initiative, all participants who returned feedback forms noted that their knowledge on an ATT improved as a result of the seminar. Its agenda, presentations and discussed regional specificities and related processes merited overwhelmingly positive comments. In all feedback forms, it was noted that the seminar helped participants to establish new contacts and all participants that provided their feedback noted that it was interesting for them to participate. Specifically, it was noted that the seminar helped participation in discussions on a critical subject, enabled states to get more involved and express their views, and improve their knowledge of the potential elements and content of the proposed treaty. In all but one reply it was noted that the seminar improved the country's participation in the ATT process.

In conclusion, the regional seminar organized for countries in the Middle East confirmed that the proposed ATT is of interest to the region, and that there are regional specificities that will have to be taken into account in a future treaty. The objectivity and effectiveness of a possible treaty was underlined in several instances. Participants cautioned against politicization of the issue and stressed that an ATT should establish truly global and non-discriminatory standards for transfers of conventional arms. In many statements, it was noted that discussions around an ATT should become more concrete in order to facilitate more specialized and detailed discussion and considerations. The inclusiveness of all countries in the process was underlined, and both the OEWG meetings and the EU-UNIDIR project were commended for their comprehensive approach.

During the seminar discussions, participants highlighted the need to ensure that countries maintain the right to self-defence and self-determination. Many noted that current systems are insufficient in addressing problems related to the conventional arms trade. As in the other regional seminars, the specific recommendations and ideas from Amman underline the importance of regional approaches to the ATT process and stress the need for continued dialogue.

### **Next steps**

After this third regional seminar, UNIDIR is in the middle of its project implementation plan. Remaining seminars for countries in Asia and the Pacific, Eastern and Southern Africa and Europe will be organized within the next six months. All the regional seminars will follow the same general structure, while remaining flexible to regional specificities, interests and circumstances.

Also, in order to better feed into the international debate and as specified in the project implementation plan, UNIDIR will organize a side event on the margins of the UN General Assembly's First Committee in October (the Sixty-fourth Session of the General Assembly). A final seminar to present the overall results of the project will be organized back-to-back with the last regional seminar in February 2010.

Summary reports from all the regional seminars outlining discussions, ideas and recommendations put forward for an ATT will be made available online. A final report of the project will be produced and presented for comments at the concluding seminar, and will be made available online.

## **Annex A. List of participants**

Bahrain	Col. Gen. Ahmed Salem AL-TAMIMI Chief of Combat Readiness Branch Joint Operation Directorate
	Col. Gen. Mohamed Abdulla ALKAABI Chief of Armouring Division
Egypt	Ahmed EL-SHANDAWILY Second Secretary, Disarmament Affairs Dept. Ministry of Foreign Affairs
Iraq	Ahmed Jasim Atiyah AL-KHAZAALI Director General, International Organizations Department, Ministry of Foreign Affairs
Jordan	HRH Prince Mired bin Ra'ad AL- HUSSEIN
	Mrs. Saja MAJALI Counselor Foreign Ministry
	Mr. Zaid ABU HASSAN Second Secretary Foreign Ministry
	Mr. Mohamed Tarawneh Third Secretary Foreign Ministry
	Mr. Ali BURAYZAT Foreign Ministry
	Zeid ABDELKARIM First Secretary, Permanent Mission of Jordan to the United Nations, New York
	Mr. Bassam ALKALLAB Military Judge Armed Forces
	Mr. Ra'ed IDREES Armed Forces

	Mr. Naser Z'UBI Armed Forces
	Mr. Muhannad ABBASI Armed Forces
Kuwait	Rashed AL SALEH Second Secretary, Ministry of Foreign Affairs
Lebanon	Ahmad ARAFA First Secretary, Permanent Mission of Lebanon to the UN, Geneva
	Lt. Col. Eng. Toufic SLIM Chief of Arms and Ammunition Service, Directorate General of the Internal Security Forces
Qatar	Tariq AL-ANSARI Counselor, Permanent Mission of Qatar to the United Nations, New York
Syria	Ali HUSSEIN First Secretary, Ministry of Foreign Affairs
	Abdulmaola AL NUQARI First Secretary, Permanent Mission of Syria to the United Nations, Geneva
Yemen	Abdulelah HAJAR Chief of International Organizations Department, Ministry of Foreign Affairs
	Ismail ALMOSHEBY Director of Human Resources and Insurance, Republican Guard
<b>Other participants</b>	
Civil Society	Fadi ABI-ALLAM Permanent Peace Movement of Lebanon
	Sherif Albert AZER Researcher, The Egyptian Organization for Human Rights

International Committee of the Red Cross (ICRC)	Camilla WASZINK Policy Adviser
Fondation pour la Recherche Stratégique (FRS)	Perrine LE MEUR Researcher
League of Arab States	Fadi ACHAIA
Stockholm International Peace Research Institute (SIPRI)	Samuel PERLO-FREEMAN Researcher
UN Office for Disarmament Affairs (UNODA)	Pamela MAPONGA Senior Political Affairs Officer
Secretariat, Group of Governmental Experts on the Register	Mr. Yuriy KRYVONOS Political Affairs Officer
Chair, United Nations Open-Ended Working Group on ATT	H.E. Ambassador Roberto GARCIA MORITAN Ministry of Foreign Affairs, Argentina
EU Council Secretariat	Fabio DELLA PIAZZA
EU Presidency	H.E. Ambassador Bertil ROTH Ministry of Foreign Affairs, Sweden
EU Expert	Caroline THIELKING Desk Officer, Conventional Arms Export Controls, German Federal Foreign Office
UNDP Jordan	Jacinta BARRINS Country Director

### **UNIDIR Participants**

UNIDIR	Christiane AGBOTON-JOHNSON Deputy Director
	Elli KYTÖMÄKI Project Manager
	Catherine DÉLICE Assistant Project Officer

## **Annex B. Agenda**

### **Monday, 27 July 2009**

During the day: arrival of participants

18:30–19:00      **Registration**

### **DAY 1**

### **Tuesday, 28 July 2009**

08:30–09:00      **Registration**

09:00–10:45      **Opening Session**

Chair:              Christiane Agboton-Johnson, United Nations Institute for  
Disarmament Research

Opening remarks:

HRH Prince Mired bin Ra'ad Al- Hussein, Jordan

Ambassador Bertil Roth, Swedish Presidency of the European Union

Presentations:

*Developments and Processes within the United Nations*  
Pamela Maponga, Conventional Arms Branch, UN Office for  
Disarmament Affairs, New York

*Civil Society's Contribution to the ATT process in the region*  
Fadi Abi-Allam, Permanent Peace Movement, Lebanon

10:45–11:15      Coffee break

11:15–13:00      **SESSION I: General overview of arms trade and the proposed  
ATT**

Chair:              Saja Majali, Counselor, Jordan Ministry of Foreign Affairs

Presentations:

*Overview of Arms Transfers – globally and in the region*  
Sam Perlo-Freeman, Researcher, Stockholm International Peace  
Research Institute

*Parameters, scope and implications of an arms trade treaty*

Perrine Le Meur, Fondation pour la Recherche Stratégique

Discussion.

13:00–15:00 Lunch at conference venue

15:00–16:15 **SESSION II: Some components of the proposed ATT and its links with other instruments**

Chair: Ambassador Roberto Garcia Moritan, Chair of the UN Open-Ended Working Group towards an ATT

Presentations:

*Key messages from the previous regional seminars of the EU-UNIDIR Project*

Elli Kytömäki, United Nations Institute for Disarmament Research

*Transparency in Arms Transfers – case of the UN Conventional Arms Register*

Yuriy Kryvonos, Secretary of the Group of Governmental Experts on the Register

Discussion.

16:15–16:30 Coffee break

16:30–17:30 **SESSION III: Regional perspectives related to the proposed ATT**

Chair: Ambassador Bertil Roth, Swedish Presidency of the European Union

Presentations:

*Regional perspectives on an arms trade treaty*

Fadi Achaia, League of Arab States Secretariat

*Example of operationalizing arms transfer criteria – EU Common Position*

Carolin Thielking, Ministry of Foreign Affairs, Germany

Discussion.

19:00–20:30 **Reception**

## **DAY 2**

**Wednesday, 29 July 2009**

- 09:00–10:15      **SESSION IV: Other ideas discussed as part of the proposed ATT**
- Chair:              Fabio della Piazza, Office of the Personal Representative of the High Representative on Non-proliferation of Weapons of Mass Destruction, Secretariat of the Council of the European Union
- Presentations:
- ATT and its possible transfer criteria- some views from the civil society*  
Sherif Azer, Egyptian Organization for Human Rights
- ATT and International Humanitarian Law*  
Camilla Waszink, International Committee of the Red Cross
- 10:15–10:45      Coffee break
- 10:45–13:00      **SESSION V: Parallel working group sessions: further exploration of an ATT – regional perspectives**
- 13:00–15:00      Lunch at conference venue
- 15:00–16:30      **SESSION VI: Roundtable – Next Steps: Gathering ideas, recommendations and suggestions**
- Chair:              Fadi Achaia, League of Arab States Secretariat
- Presentation of results from the working groups: priorities, challenges and the way forward
- Discussion
- 16:30–17:00      **Closing Session**
- Chair:              Christiane Agboton-Johnson, United Nations Institute for Disarmament Research
- Summary of the seminar discussions*  
Elli Kytömäki, United Nations Institute for Disarmament Research

Closing remarks: Fabio della Piazza, Office of the Personal Representative of the High Representative on Non-proliferation of Weapons of Mass Destruction, Secretariat of the Council of the European Union

Saja Majali, Counselor, Jordan Ministry of Foreign Affairs

17:00–17:30      **Press Conference**