

ANALYZING THE IMPACT OF THE ARMS TRADE TREATY ON HUMAN SECURITY: REGIONAL INSIGHTS

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“The ATT will not be able to turn back the clock. It cannot bring back lives lost already through armed violence. But, with robust enforcement, it will prevent future suffering and save lives.”

- Anna Macdonald, Director, Control Arms Coalition

Abstract

The Arms Trade Treaty (ATT), which was adopted by the General Assembly of the United Nations in 2013 and entered into force on December 24, 2014, is another important step forward for regulation of the trade in conventional arms and for mitigating some of the harmful effects of armed conflict on human security. This research article delves into the ATT's implications for human security, emphasizing its role in preventing human rights abuses and promoting transparency and accountability in arms transfers. The ATT mandates comprehensive risk assessments by state parties before authorizing arms exports, ensuring that these transfers do not contribute to the human suffering or violate of international humanitarian law. By fostering international cooperation and robust national control systems, the treaty aims to curb the illicit arms trade, which exacerbates violence and hinders development, particularly in conflict-prone regions. The article highlights the ATT's significance in integrating human security concepts into arms export controls, despite challenges in changing state behavior and the treaty's limitations, such as the exclusion of non-state actors and emerging technologies. Through regional insights, the study examines the ATT's impact on human security in Sub-Saharan Africa, the Middle East, Asia-Pacific and Europe. Identifying both successes and areas for improvement. This Article underscores the need for enhanced implementation strategies, political will, and international collaboration fully with the ATT is potential in safeguarding human security and promoting sustainable development in a world fraught with violence and instability.

Keywords: Arms Trade Treaty (ATT), Human Security, Human Rights Violence, Illicit Arms Trade, Conflict Zones, Regional Insights

INTRODUCTION

The Arms Trade Treaty ATT Ratified by the United Nations General Assembly in 2013 The very fact of becoming effective from 24 December 2014 instrument means significant progress in efforts to regulate at the international level trade in conventional weapons with the purpose of mitigating devastating impact on human security caused by war.³ This treaty resulted from an international agreement in recognition of the urgent imperative to address the illicit trade in small and light arms, fuels violence, destroys peace, and blocks development, particularly in war-torn areas.⁴ The Arms Trade Treaty (ATT) comes with a regulatory framework for its member countries in the evaluation and regulation of transferring arms, thus ensuring that these arms transfers do not facilitate human rights violations or violence.⁵ These state parties are compelled to ensure thorough risk assessments before agreeing to export arms, thereby ensuring that these transfers do not cause unnecessary suffering and well as not violate IHL and human rights law.⁶ The treaty will contribute to human security since weapons cannot fall into

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³ “The Arms Trade Treaty | Arms Control Association” (ATT) <[https://thearmstradetreaty.org/#:~:text=The%20Arms%20Trade%20Treaty%20\(ATT,force%20on%2024%20December%202014.>](https://thearmstradetreaty.org/#:~:text=The%20Arms%20Trade%20Treaty%20(ATT,force%20on%2024%20December%202014.>) accessed 6 September 2024

⁴ Silva BTP, Pellens PC and Silva IDCAD, ‘The Arms Trade Treaty and Illicit Trade under International Humanitarian Law’, II International seven multidisciplinary congress (Seven Congress 2023) <<https://homepublishing.com.br/index.php/cadernodeanais/article/view/58>> accessed 7 September 2024

⁵ “The Arms Trade Treaty at a Glance | Arms Control Association” <<https://www.armscontrol.org/factsheets/arms-trade-treaty-glance#:~:text=The%20treaty%20aims%20to%20reduce,concerning%20transfers%20of%20conventional%20arms.>> accessed 7 September 2024

⁶ “The Arms Trade Treaty Must Be Faithfully Implemented to Prevent Serious Violations of International Humanitarian Law and Human Rights Law” (International Committee of the Red Cross, August 19, 2024) <<https://www.icrc.org/en/news-release/arms-trade-treaty-must-be>>



the wrong hands that might commit atrocities when using them. In the context of the ATT, it takes cognizance of the interdependence of security, development, and human rights; thus, the practice of arms regulation should be approached with a full understanding of the social, economic, and humanitarian repercussions of armed violence.

BACKGROUND OF STUDY

The roots of the modern Arms Trade Treaty (ATT) are said to have been in the late 1980s, when representatives of civil society, together with winners of the Nobel Peace Prize, voiced concerns over the unregulated facets of arms trade at a global level and its implications for human security. This regulation on the global arms trade is intended to enhance human security through the formulation of common standards for the transfer of conventional armaments.⁷ The treaty answers the urgent need to stop illegal arms trade and diversion, which is connected with armed conflicts, human rights violations, and humanitarian emergencies, mostly against civilian communities.⁸ The preamble of the ATT points toward the interconnectedness of peace, security, development, and human rights, and thus shows the fact that uncontrolled arms trade augments poverty and inequality; often, it leaves vulnerable groups, such as women and children, disproportionately affected. The ATT seeks to promote greater responsibility among export arms nations in the assessment of risks associated with potential arms transfers, especially regarding their possible use against persons in human rights abuses or to fuel conflict. In a world where lax controls have led to the proliferation of available weapons, this is key for challenging the humanitarian efforts and rule of law. Moreover, the agreement advocates for nations to establish effective national control frameworks and to document their arms transfers, consequently fostering transparency and collaboration in the regulation of arms. The potential impact of the ATT on human security lies in the fact that it not only works towards reducing the flow of arms into conflict zones but also seeks to create a framework for international collaboration that enhances the capacity of states to manage their arms effectively and responsibly. Thus, the ATT is not only a legal instrument but a vital component in the broader effort to safeguard human security and promote sustainable development in a world plagued by violence and instability.

LITERATURE REVIEW

Denise Garcia⁹

Arms Trade Treaty (ATT) highlights its significance in establishing global norms for arms transfers, a critical gap that existed prior to its adoption in 2013. Prior to the ATT, the international community lacked comprehensive regulations governing the arms trade, which facilitated unchecked transfers to human rights abusers and exacerbated global conflicts. The treaty emerged from a protracted negotiation process involving multiple stakeholders, including states and civil society, aimed at curbing the irresponsible flow of arms and enhancing human security. Despite its potential to transform arms trade practices, existing literature indicates a significant challenge in changing state behavior regarding arms exports, as many countries remain hesitant to fully comply with the treaty's provisions. Furthermore, the ATT did not ban the transfers to the non-state actors, and it was leaving areas probably misused as well as loopholes. This gap makes further studies crucial in exploring the ATT implementation on compliance monitoring through civil society participation and the impact of new technologies in arms trading, which the ATT has no policy on.

Mark Bromley and Et al.¹⁰

The Author Starts with the historical context of arms regulation, noting that successful multilateral agreements typically arise from either supplier-only initiatives or hegemonic impositions, which complicates the inclusive nature of the ATT negotiations involving all UN member states. The authors emphasize the integration of human security concepts into arms export controls, suggesting that while these principles have garnered support, they remain contentious among major arms exporters like the US, China, and Russia, who prioritize state security over humanitarian concerns. The ATT process itself, driven by civil society campaigns, faced significant hurdles, including divergent state interests and the influence of domestic political landscapes, particularly in the US. Ultimately, the literature reflects a tension between the aspirations for a comprehensive treaty that prioritizes human security and the pragmatic realities of international arms politics, indicating that future efforts to regulate arms transfers will likely continue to grapple with these competing priorities

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violations#:~:text=The%20Arms%20Trade%20Treaty%20(ATT,law%20and%20human%20rights%20law.> accessed 6 September 2024.

⁷ Matamis J, "Reflections on the ATT at 10 Years and Hopes for the next Decade" [2024] Stimson Center <<https://www.stimson.org/2024/reflections-on-the-att-at-10-years-and-hopes-for-the-next-decade/>> accessed 8 September 2024

⁸ Da Silva C and Wood B (eds), The Arms Trade Treaty: Weapons and International Law (1st edn, Intersentia 2021) <<https://www.cambridge.org/core/product/identifier/9781839701603/type/book>> accessed 8 September 2024

⁹ Garcia D, 'Global Norms on Arms: The Significance of the Arms Trade Treaty for Global Security in World Politics' (2014) 5 Global Policy 425 <<https://onlinelibrary.wiley.com/doi/10.1111/1758-5899.12182>> accessed 11 September 2024

¹⁰ Bromley M, Cooper N and Holtom P, "The UN Arms Trade Treaty: Arms Export Controls, the Human Security Agenda and the Lessons of History" (2012) <<http://hdl.handle.net/10454/5892>> accessed 11 September 2024

Matthew Bolton and Et al.¹¹

The Arms Trade Treaty (ATT), established in 2013, marks a significant milestone in global arms regulation, emerging not from traditional statecraft but through the advocacy of civil society, including activists and Nobel Laureates. This legally binding framework aims to set comprehensive standards for the international trade of conventional arms, emphasizing human rights and humanitarian law while acknowledging states' rights to trade. The ATT's negotiation process revealed a blend of idealism and power politics, with civil society playing a crucial role in shaping its provisions and garnering political support. Despite its potential to influence global policy and promote peace, security, and responsible action, the ATT faces implementation challenges and requires ongoing scholarly engagement to assess its impact and effectiveness in addressing the complexities of the arms trade and its implications for international relations.

Commonwealth Secretariat¹²

The ATT clearly articulates common international standards governing the arms trade thereby annulling the use of weapons in war crimes and grave human rights violations. According to the "International Committee of the Red Cross", the humanitarian basis of this treaty will alleviate civilian suffering during armed conflicts. PROVISIONS UNDER THE ATT The ATT provisions make it an obligation of nations to prohibition and reduction of arms trade when there is credible risk that they may be used in serious violations of international humanitarian law or human rights. Proper national implementation and international cooperation are themselves underlined by the Secretariat for making the treaty successful, so that the Commonwealth member states are encouraged to ratify and respect its standards.

THE ARMS TRADE TREATY: A BRIEF OVERVIEW

The ATT is the first comprehensive global legal instrument regulating conventional arms transfers. It strives for 'Establishing the highest possible common international standards' and seeks to give multiple contributions toward world-wide peace, security, and stability, reducing human suffering, as it is mentioned in Article 1 UN Arms Trade Treaty. The phrase 'cooperation, transparency and responsible action' encapsulates the principles underlying the Arms Trade Treaty (ATT), which was ratified by the United Nations General Assembly on April 2, 2013, to oversee the international commerce of conventional weaponry, an industry frequently left without regulation, thus exacerbating global instability. The category of conventional arms encompasses a wide range of items, including small firearms, tanks, missiles, and naval vessels. The treaty marked the first international instrument specifically drafted to oversee the trading of conventional weapons, promoting transparency and accountability in their transfer.¹³

ATT imposes extremely strict standards regarding the international trade of conventional arms. The article 6 of the said treaty states that a member state should not transfer conventional arms if such a transfer will violate the resolutions of the United Nations Security Council or other obligations under this or any other multilateral treaty. Transfers shall also be prohibited if the receiving state has notified the exporting state that the arms or related material will be used in the committing of any war crime referred to in Article 8 of the Rome Statute of the International Criminal Court, adopted on July 17, 1998. Article 7 of the ATT seeks to ensure that states parties conduct an effective analysis of the risks associated with the transfer of such arms. This will therefore minimize the likely chances that those transferred arms would further exacerbate peace and security deterioration, international human rights law and international humanitarian law violations, terrorism acts, or the commission of organized crimes or gender-based violence. Such provisions show that the agreement is committed to the regulation of arm transfers so that wrongful use is prevented and the negative impacts on international peace and security are kept at a minimum..¹⁴

Before the ATT, the global arms trade was valued at about \$80 billion per annum. The United States, Russia, China, and Europe in countries such as France and the UK were key exporters. This often resulted in the arms reaching into conflict zones or the arms fitting into repressive regimes that, eventually, contributed to humanitarian crises. Since the ATT entered into force, the level of transparency can be seen in that most countries are now transparent with respect to their arms exports by publishing reports. The illicit arms trade is, however a significant problem, particularly within areas of poor governance, Sub-Saharan Africa being at the forefront and also parts of the Middle East.

¹¹ Matthew Bolton and others, "The Arms Trade Treaty from a Global Civil Society Perspective: Introducing Global Policy's Special Section" (2014) 5 Global Policy 433 <<https://doi.org/10.1111/1758-5899.12171>> accessed 12 September 2024

¹² Commonwealth Secretariat, 'The Arms Trade Treaty and International Humanitarian Law: A Commonwealth Perspective' (2017) 43 Commonwealth Law Bulletin 533 <<https://www.tandfonline.com/doi/full/10.1080/03050718.2017.1470801>> accessed 13 September 2024

¹³ The Arms Trade Treaty | Manohar Parrikar Institute for Defence Studies and Analyses' <https://www.idsa.in/background/TheArmsTradeTreaty_170712#footnote39_2i0uq8f> accessed 13 September 2024

¹⁴ Fukui Y, 'The Arms Trade Treaty: Pursuit for the Effective Control of Arms Transfer' (2015) 20 Journal of Conflict and Security Law 301 <<https://academic.oup.com/jcsl/article-lookup/doi/10.1093/jcsl/krv003>> accessed 15 September 2024

The international trade in arms had earlier been mainly controlled by national or regional policies and strategies. The lack of a global framework resulted in deficiencies in the way different countries managed arms sales. Most states engaged in arms exports with little control exercised over them, usually disregarding the humanitarian implications that the arms may possibly have on their actions. The arms sold to other authoritarian regimes were later used to crush domestic populations or to fuel regional conflicts. This dynamic had become increasingly problematic in the post-Cold War era when arms transfers had contributed to some of the world's deadliest conflicts-take, for example, the Balkans, Rwanda, and the Democratic Republic of Congo. These conflicts highlighted the urgent need for a legally binding international agreement to control arms sales.¹⁵

It was adopted after years of negotiation in 2013 and came into force on 24 December 2014. The treaty serves as a mechanism to prevent the diversion of arms to the illicit markets and ensures that weapons transfers not add to the commission of human rights abuses or to any worsening of conflicts. The agreement mandates that state parties evaluate the potential risk that arms intended for export could be utilized to perpetrate or assist in significant breaches of international humanitarian law or international human rights law. Should this risk be assessed as considerable, authorization for the arms transfer must be denied.

As of today, over 110 nations have become parties to the treaty, with several additional states having signed it but not yet completed the ratification process. Notwithstanding this advancement, significant arms-exporting countries, including the United States and Russia, continue to be outside the treaty, thereby constraining its overall global influence.

The ATT regulates all conventional weapons- including battle tanks, armoured combat vehicles, large-calibre artillery systems, combat aircraft, attack helicopters, warships, missiles, and small arms. However, the agreement also deals with provisions concerning prohibition on trading in arms with non-state actors that include terrorists and insurgents. The treaty has two-fold objectives:

1. To enhance accountability and transparency in the global armaments trade.
2. To prevent arms transfers that may be employed to perpetrate or assist egregious human rights violations or intensify hostilities.

The ATT becomes for the very first time in history, an all-encompassing global legal instrument that will regulate the flow of conventional weapons, resulting in the highest possible common international standards to contribute to peace, security, and stability and will prevent human suffering; cooperation and transparency and responsible action. (Article 1 of UN Arms Trade Treaty)

HUMAN SECURITY: A CONCEPTUAL FRAMEWORK

Human security is that very concept which has changed much over the years and also evolved from traditional notions of security, which primarily emphasize concerns over state-centric and military aspects, to a more holistic understanding which puts emphasis on safety and well-being.¹⁶ Human security is another concept which reminds individuals of the protection of people and communities rather than the states. Further, it encompasses economic, food, health, environmental, personal, community, and political security threats to human well-being. According to the United Nations Development Programme, human security is "safety from chronic threats such as hunger, disease, and repression" and also "protection from sudden and harmful disruptions in the patterns of daily life".¹⁷ The human security framework calls for turning over or shifting away from traditional security that the main focus would be state sovereignty and military threats, to an overall approach that places an emphasis on the dignity and rights of the individuals. This approach recognizes that security is not about being free of war, but also the existence of conditions allowing persons to lead fulfilling lives.

➤ **The Shift from State to Human-Centric Security:**

State-based security is the way classic security doctrines like the military might imagine the state as the primary referent for security. Often, though, state-focused security policies do not have much light on the root causes of insecurity for weak parties; sometimes not even for individuals. Think about civil wars, insurgencies, and repressive governments that often threaten to inspire fear in people despite the overall state's security. This understanding gave birth to the human security paradigm, where the welfare of people is valued over that of a state.

➤ **Impact of Armed Conflict on Human Security:**

Armed conflicts are currently prevalent worldwide. Nearly every continent globally has a focal point of violent conflicts. More than 110 military wars exist globally, with some enduring for up to 50 years. Armed conflicts lead to acute humanitarian crises with massive displacement of population, food insecurity, and rampant violations of

¹⁵ Anna Stavrianakis, "Legitimising Liberal Militarism: Politics, Law and War in the Arms Trade Treaty" (2016) 37 Third World Quarterly 840 <<https://doi.org/10.1080/01436597.2015.1113867>> accessed 15 September 2024

¹⁶ Gregoratti C, "Human Security | Political Science, Human Rights & Global Development" (Encyclopedia Britannica, June 6, 2013) <<https://www.britannica.com/topic/human-security>> accessed 15 September 2024

¹⁷ "United Nations Development Programme" (May 2006) <<https://hdr.undp.org/system/files/documents/human-security.human-security>> accessed 16 September 2024

the international humanitarian law. Even though direct fatalities seem to decline in these wars, the indirect effects persistent diseases and health issues in people's minds-they are highly high. These wars check the momentum of economic development and do much damage to infrastructure besides creating instability in developmental processes for the long term. Insights into these crises, as evident from the trends and consequences, can be viewed from a number of data-based sources and references.

➤ **ATT Promotes Human Security**

ATT is a critically important framework that protects human security through the regulation of 'international trade in conventional arms', and by bringing these negative effects of such trade on human rights and humanitarian law. It has set strict conditions for transfers of arms to mandate states to assess potential risks that may be posed during the use of such arms in serious violations of humanitarian law or human rights abuses. This means the diversion of arms to unauthorized users should be avoided, hence lowering the chances that weapons will contribute to armed conflicts and atrocities. Furthermore, the ATT promotes transparency through reporting annually on exports and imports, thus allowing civil society and the world at large to monitor compliance and hold states accountable. International cooperation fostered through the ATT should assist with its implementation promote the ability of states to exercise responsible arms flows management; thus, after a long time, it contributes towards just and peaceful, inclusive societies, as envisioned by the Goals for Sustainable Development.

RESEARCH OBJECTIVES

- To explore the relationship between arms trade and human security through a theoretical framework.
- To analyze the key provisions of the ATT and their implications for human security, particularly in terms of reducing the risk of human rights violations and war crimes.
- To provide a detailed analysis of the ATT's impact on human security in various regions, focusing on key areas such as Sub-Saharan Africa, the Middle East, and Europe.
- To identify challenges in implementing the ATT and propose strategies for strengthening its impact on human security at the regional and international levels.
- To Provide evidence-based recommendations for policymakers, international organizations, and civil society on how to strengthen the ATT's implementation and improve human security outcomes globally.

KEY PROVISIONS OF THE ARMS TRADE TREATY AND THEIR IMPLICATIONS FOR HUMAN SECURITY:

The detailed breakdown of the key provisions of the United Nations The Arms Trade Treaty are mentioned below:

1. Objectives and Scope:

The ATT is intended to end the illicit trade in conventional arms and arms transfers that may contribute to serious violations of international humanitarian law or human rights. The ATT 'Scope' (Article 2, para. 1), the treaty declares 'shall apply to all conventional arms within the following categories: The conventional arms to which the ATT applies are embraced in a broad categories:

- Battle tanks
- Armored combat vehicles
- Large-caliber artillery systems
- Combat aircraft
- Warships
- Missiles and missile launchers
- Small arms and light weapons

2. Article 3: Prohibition of Transfers¹⁸

This provision would prohibit arms transfers if there is a serious risk that the arms will be used in support of acts of genocide, crimes against humanity, or serious violations of international humanitarian law. Such a provision would prove highly important to human rights protection and ensure that arms did not exacerbate conflict or support atrocities..

3. Article 4: Risk Assessment¹⁹

Article 4 subjects state parties to the task of evaluating the probability that the use of arms may destabilize peace and security or be carried out in violation of human rights. This is very fundamental in the process of decision-making in regards to arms transfer because it sensitizes states to the human security implications of their act.

¹⁸ UN Arms Trade Treaty (2013) a 3.

¹⁹ UN Arms Trade Treaty (2013) a 4.

4. Article 5: National Control Systems²⁰

It dictates that states implement national control systems in order to regulate arms transfers within their territories. Such systems should be established in line with the provisions of the ATT, enabling the responsible management of arms exports and thus enhancing accountability and responsibility in the arms trade.

5. Article 6: Prevention of Diversion²¹

Article 6 Obstacles to prevent diversion: Duties to prevent diversion of arms to unauthorized users or for the use that is contrary to the purposes. It will prevent arms from finding their ways to groups that might use them to escalate violence and instability in the country.

6. Article 7: Transfer Assessment Criteria²²

Article 7 establishes the criteria for assessing arms transfer applications. States must consider the recipient's human rights record, the potential for misuse of the arms, and the likelihood that the arms will be used to commit violations of international humanitarian law. This comprehensive assessment process is designed to prioritize human security and prevent arms from exacerbating conflicts.

7. Article 8: Reporting and Transparency²³

Article 8 makes state parties inform the other member states about their arms exports and imports, thus increasing transparency and responsibility on the part of the state. Such reportage is important to monitor for compliance and develop confidence among the members.

8. Article 11: Diversion²⁴

Another important provision of the ATT is the prevention of arms diversion to unauthorized users. States are required to take measures to ensure that weapons are not diverted to the illicit market or used by unauthorized actors. This includes measures such as verifying the end-user of the arms and monitoring post-delivery. Preventing diversion is essential for ensuring that arms do not fall into the hands of insurgents, terrorists, or criminal organizations, all of whom pose a significant threat to human security.

9. Articles 12 & 13 Record-Keeping and Reporting²⁵

Regarding Articles 12 and 13 of the ATT, it states that all transfers of arms require transparency as it requires that each country maintains a detailed account of all transactions made in the past ten years, and such accounts are to be submitted to the United Nations. This shows a system of accountability that requires states to be accountable over their exportation of arms and to commit to the requirements of the treaty. The ATT is expected to reduce the risk of diversion of arms into illegal markets, thus undermining global human security. The measure not only increases oversight but also encourages responsible arms trade practices among the signing countries.

10. Human Security Implications:

The ATT obliges states to evaluate the potential implications that arms transfers could have on human rights and humanitarian law. In this regard, it nudges states to take broader considerations with their arms exports, especially in regions that are or may become embroiled in conflict, holding those states accountable and responsible for their government and governance. By underlining the requirements for assessing the human rights record of a recipient and the risk of potential misuse, the ATT aims to stem the flow of arms going to non-state actors and regimes notorious for violations of human rights. Of course, this focus on human security is important because it aims to protect civilians in armed conflicts and reduce the risks attached to the spread of conventional arms; thus contributing to a more secure and stable global environment. However, even as this depends on the treaty's effectiveness concerning political commitment among the state parties to implement these provisions and give preference to human rights in their arms export policies.²⁶

NON-STATE ACTORS AND ARMS CONTROL

The ATT underlines that insurgent groups, terrorists, and criminal organizations are one of the biggest drivers of proliferation. It accordingly recognizes that whereas the treaty primarily addresses state-to-state transfers, it has provisions meant to prevent the illicit supply of arms to non-state actors. This is particularly crucial in areas where non-state actors continue to fuel ongoing violence and insecurity, given that the restriction of arms flows to these groups must be stepped up as a necessary action to enhance human security and stability conditions. An extremely relevant provision with regard to ATT is diversion, whereby Article 11 indicates the provision where states are obligated to take necessary measures to ensure that they do not allow weapons to fall into unauthorized users or

²⁰ UN Arms Trade Treaty (2013) a 5.

²¹ UN Arms Trade Treaty (2013) a 6.

²² UN Arms Trade Treaty (2013) a 7.

²³ UN Arms Trade Treaty (2013) a 8.

²⁴ UN Arms Trade Treaty (2013) a 11.

²⁵ UN Arms Trade Treaty (2013) a 12 & 13.

²⁶ "The Arms Trade Treaty Must Be Faithfully Implemented to Prevent Serious Violations of International Humanitarian Law and Human Rights Law" (ICRC | International Committee of the Red Cross, August 2023) <[https://www.icrc.org/en/news-release/arms-trade-treaty-must-be-faithfully-implemented-prevent-serious-violations#:~:text=The%20Arms%20Trade%20Treaty%20\(ATT,law%20and%20human%20rights%20law.>](https://www.icrc.org/en/news-release/arms-trade-treaty-must-be-faithfully-implemented-prevent-serious-violations#:~:text=The%20Arms%20Trade%20Treaty%20(ATT,law%20and%20human%20rights%20law.>) accessed 18 September 2024

end up in the illicit market. Such monitoring includes scrutiny of the ultimate end-user of arms and tracking their use afterwards once they are distributed; this is crucial in avoiding the supply of arms to insurgents, terrorists, or criminal organizations, which seriously compromise human security. In addition, the ATT would guarantee the transparency and accountability of the transfer of arms by the provision of reporting requirements that should be presented by the states as per Article 12 and 13, where it should maintain records on the export and importation of its arms and submit an annual report regarding all its activities to the ATT Secretariat. This would make a better secure environment regarding which arms are not misused in ways that undermine human security.²⁷

IMPACT OF ATT ON HUMAN SECURITY :

The positive aspects of the Arms Trade Treaty (ATT) significantly contribute to enhancing human security by addressing the multifaceted challenges posed by the international arms trade.

The ATT maybe most ultimately pays off in **less violence** in areas wracked with turmoil. Because it mandates strict standards that countries must consider before selling weapons to other nations, the treaty hopes it can guarantee that such arms may never end up in the possession of perpetrators who might commit human rights abuses or prolong continuous wars. This proactive approach contributes to the decreased arm violence because the states are compelled to think about the consequences that their sales have on local populations. On the broader international humanitarian principles, the ATT adopts, which makes the norm that arms exports should not contribute to human suffering.²⁸

Yet another significant dimension is **increased responsibility** in the arms trade. Under the ATT, it now falls on the obligation of states to establish a national system of control over the arms export. This will create a culture of openness and responsibility. To this end, it will demand that states ensure that any export contributes toward a low risk level of potential use against serious violations by international humanitarian law or human rights. This accountability is, especially in a corrupt and non-governed region, where arms can be lost quickly to non-state actors or criminal organizations. Furthermore, the focus on national reporting and record-keeping can also make it possible for greater monitoring and oversight of arms transfers, which leads to an overall enhancement of the integrity of the arms trade.²⁹

More importantly, ATT is also a giant stride for international arms regulation toward addressing the issue of **gender-based violence**. It made its mark in history as the very first international treaty that boldly states the relation between the trade of arms and gender-based violence. It defers to the often-increased prevalence of the problems these affect-women and children-for it highly tends to be affected by armed conflict. Therefore, the ATT will address the risks of violence against vulnerable populations by integrating gender considerations into assessment of arms exports. This focus not only opens the world to potential threats posed by proliferation of arms but also encourages states to make gender-sensitive policies in their practices of exporting arms. The holistic approach reaffirms that human security does not only deal with the physical safety of people but rather affords their rights and dignity as being human, regardless of their gender.³⁰

Lastly, the ATT promotes **international cooperation and dialogue** between states, civil society, and international organizations. Providing a framework of cooperation, the treaty encourages cooperation between countries, sharing best practices, experiences, and resources related to arms control and human security within them. Such a cooperative spirit will help in more effective capacity building in developing countries, which may not have either resources or expertise to adopt effective measures of control over arms. Besides that, the ATT provides a vehicle through which civil society organizations can engage with governments and make stronger case for better arms control policies, which allows the voices of those affected by armed violence to be more amplified. This collaborative approach gives added strength to the treaty's implementation and enlivens the global commitment to human security and holds nations together as a responsibility shared by all.³¹

REGIONAL INSIGHTS: IMPACT OF THE ARMS TRADE TREATY ON HUMAN SECURITY

The ATT sets up a platform in which states evaluate arms transfers regarding human rights violations and breaches of humanitarian law. Among those obligations that make up the structure of a well-delineated sense of commitment of states parties to undertake measures that do not allow diverted arms is one that does not define clearly what "diversion" is but, instead leaves the intensity of its interpretation and implementation at the mercy of regional perceptions.

²⁷ UN Arms Trade Treaty (2013) a 11.

²⁸ Gro Nystuen and Kjolv Egeland, "The Potential of the Arms Trade Treaty to Reduce Violations of International Humanitarian Law and Human Rights Law," Edward Elgar Publishing eBooks (2019) <<https://doi.org/10.4337/9781788117470.00022>> accessed 18 September 2024

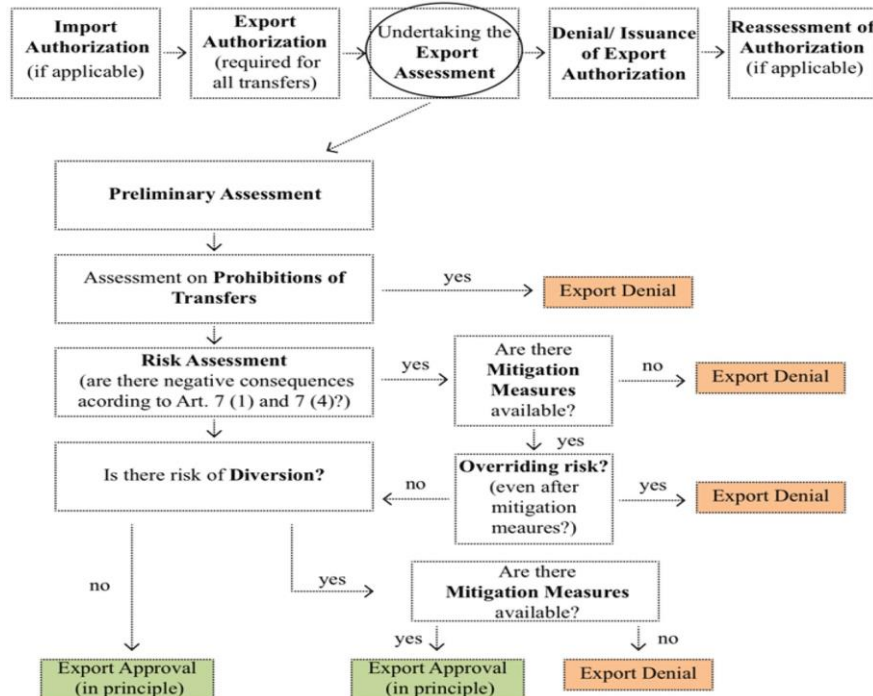
²⁹ Laurence Lustgarten, "THE ARMS TRADE TREATY: ACHIEVEMENTS, FAILINGS, FUTURE" (2015) 64 International and Comparative Law Quarterly 569 <<https://doi.org/10.1017/s0020589315000202>> accessed 18 September 2024

³⁰ Caroline Green and others, "Gender-Based Violence and the Arms Trade Treaty: Reflections from a Campaigning and Legal Perspective" (2013) 21 Gender & Development 551 <<https://doi.org/10.1080/13552074.2013.847001>> accessed 18 September 2024

³¹ Yasuhito Fukui, "The Arms Trade Treaty: Pursuit for the Effective Control of Arms Transfer" (2015) 20 Journal of Conflict and Security Law 301 <<https://doi.org/10.1093/jcsl/krv003>>. accessed 19 September 2024

The exporting state party shall, under article 11(2) of the UN ATT, establish obligation.:

“shall strive to prevent diversion of the transfer of conventional arms covered under Article 2(1) through its national control system, established in accordance with Article 5(2), by assessing the risk of diversion of the export and considering the establishment of mitigation measures such as confidence-building measures or jointly developed and agreed programs by the exporting and importing States”³²



Source³³

Explanation of above graph:

The graph outline below reflects the normal procedures used in regulating arms export under the ATT process. Normally, this procedure goes through several major stages: application at the initial level by the exporter, scrutiny and evaluation by the relevant administrative authority to ensure compliance with national and international law, risk assessment of possible diversion or misuse of arms, and final approval or denial based on the result. Every stage goes through a critical analysis so that arms sales do not contribute to human rights violations or terrorism or other unlawful transactions. The graph, without a doubt, depicts these stages in reference to the sequential intricacies of the policy framework designed for responsible arms trade.

REGIONAL INSIGHTS ON HUMAN SECURITY:

1. Sub-Saharan Africa:

Many countries in Sub-Saharan Africa are grappling with ongoing armed conflicts that severely impact human security, leading to loss of life, displacement, and destruction of infrastructure.³⁴ The presence of insurgent groups and non-state actors exacerbates instability and violence, complicating efforts to achieve lasting peace. Weak governance structures and institutions hinder effective policy implementation and enforcement, while corruption remains a significant challenge, undermining security and development outcomes. High levels of poverty and unemployment contribute to social unrest and vulnerability to recruitment by armed groups, with mismanagement of natural resources further fueling conflict and depriving communities of essential services. Limited access to healthcare services and infrastructure adversely affects the well-being of populations, particularly in conflict-affected areas, while disrupted education systems lead to low literacy rates and limited opportunities for youth. Human rights violations, including gender-based violence and the recruitment of child soldiers, are prevalent, necessitating the strengthening of legal frameworks and ensuring accountability for abuses. International and regional cooperation is crucial to address these complex challenges, including support for peacekeeping missions, humanitarian aid, and development programs, alongside the implementation of treaties like the Arms Trade Treaty (ATT) to curb the flow of illicit arms. Community-based initiatives and local leadership play a vital role in

³² UN Arms Trade Treaty (2013) a 11(2).

³³ Eva Nave, “The Importance of the Arms Trade Treaty for the Implementation of the Sustainable Development Goals” (2019) 24 Journal of Conflict and Security Law 297 <<https://doi.org/10.1093/jcsl/krz010>>. accessed 21 September 2024

³⁴ Robert Muggah and Francis Sang, “The Enemy within: Rethinking Arms Availability in Sub-Saharan Africa” (2013) 13 Conflict Security and Development 417 <<https://doi.org/10.1080/14678802.2013.834116>> accessed 21 September 2024

building resilience and promoting peace, with the empowerment of women and youth being key to fostering sustainable development and security. Improving human security in Sub-Saharan Africa requires a multifaceted approach that addresses the root causes of conflict and instability while promoting good governance, economic development, and respect for human rights.³⁵

2. Middle East and North Africa (MENA):

In this regard, the challenges of arms proliferation in the MENA region are colossal and entangled, yet the ATT would lend a framework toward addressing the issue by promoting responsible arms transfers, reducing the availability of weapons to parties involved in human rights violations. However, geopolitical interests often undermine the effectiveness of ATT because they could render any treaty obligation inconsequential to certain parties involved, thereby complicating the landscape of arms control in that region. Arms proliferation in MENA is compounded by various conflicts where various factions receive arms from multiple sources coming from state and non-state actors who result in widespread human rights abuses further exacerbating humanitarian crises. In this regard, the ATT attempts to address the challenge by imposing obligation on states to assess the risk of arms transfers being used to commit violations of international humanitarian law and human rights. After all, even political interests set aside the stipulations of the ATT and rise above it, as major powers, arms-exporting countries like the United States, might take account of strategic alliances, economic interests, and spare human rights issues, allowing arms transfers to be credited for fueling conflicts, furthering human suffering, in the MENA region. This potential of the ATT to strengthen human security in the MENA region, however, is contingent upon political will at the state level to comply with its provisions through concerted action from the international community to hold states accountable for their decisions on arms transfers and to push them towards cooperation to strengthen measures to ensure compliance.³⁶

3. Asia-Pacific

The ATT's influence on human security in the Asia-Pacific region maps out a complex and mixed landscape, mainly defined by historical tensions and distinct national interests. Countries such as India and Pakistan, who have been archrivals for centuries, tend to approach the ATT with great reservation, as they fear it may somehow limit their defense capabilities and undermine national security. This skepticism is based on their geopolitical context: for most countries, preparedness for war must be accomplished in order to deter perceived threats. It is a stark contrast for countries like Japan and Australia, which welcomed the ATT as it supports more robust arms controls, which contribute to regional stability and human security. To these states, the treaty is a framework that might, hopefully, reduce the risks arising from proliferation of conventional arms and the chances of war. The dynamics are further complicated by non-state actors and shifting regional balances of power not least in recent instances given the rise of China and its active and assertive military posture in the region. This changing security environment necessitates joint efforts on the part of the nations in Asia-Pacific to coordinate the national policies with the objectives of the ATT, which would make the region more stable and safer for all parties involved. Such alignment would answer the concerns of skeptical nations while promoting the advantages of arms control and cooperative security measures that would form a more cohesive approach to human security across the region. The interplay between historical rivalries, national defense priorities, and the overarching goals of the ATT indicates the problems and opportunities in reaching better human security in the Asia-Pacific context.³⁷

4. Europe

European countries generally support the ATT and have established robust mechanisms for arms export control. However, challenges remain, particularly concerning the export of arms to conflict zones where human rights abuses are reported. The European Union's commitment to the ATT can significantly influence global arms trade norms, promoting a culture of accountability and responsibility that enhances human security both regionally and globally.³⁸

LOOPHOLES AND LIMITATIONS OF THE ATT:

Non-signatory states are one of the significant issues. Many countries around the world, some of which are the world's largest arms exporters, have neither ratified nor signed the ATT. Such non-participation in a deal creates a gap within the universality of the treaty-the free flow of arms from these non-signatory states into other nations without any oversight and regulation. This in turn lowers human security in failing to prevent diversion of arms to unauthorized users.

³⁵ Christina Arabia and others, "ATT-RELATED OUTREACH AND ASSISTANCE ACTIVITIES IN SUB-SAHARAN AFRICA: IDENTIFYING GAPS AND IMPROVING COORDINATION" (2016) report <<https://att-assistance.org/sites/default/files/2017/12/SIPRIBP1602.pdf>> accessed 21 September 2024

³⁶ Tímea Zsivity, "Potential Sticking Points between EU Accession Requirements and National Interests in Serbia, with Special Reference to Geopolitical and Minority Issues" (2023) 26 *Európai Tükör* 89 <<https://doi.org/10.32559/et.2023.2.6>> accessed 22 September 2024

³⁷ Widya Setiabudi Sumadinata, "Analysis of United States Foreign Policy in Asia Pacific and Its Impact on Regional Security Stability" (2023) 1 *Best Journal of Administration and Management* 131 <<https://doi.org/10.56403/bejam.v1i3.73>> accessed 22 September 2024

³⁸ Mark Bromley, Neil Cooper and Paul Holtom, "The UN Arms Trade Treaty: Arms Export Controls, the Human Security Agenda and the Lessons of History" (2012) 88 *International Affairs* 1029 <<https://doi.org/10.1111/j.1468-2346.2012.01117.x>> accessed 22 September 2024

Another more relevant **weakness is that the mechanisms of enforcement** under the ATT are quite weakly institutionalized. The treaty imposes on states an arms transfer framework but does not enforce binding obligations on states regarding the provisions that must be fulfilled under the treaty. Due to the ease of shying away from responsibilities without challenges, the impact of the treaty in checking illicit trade in arms becomes very negligible.

Definition vagueness, inherent in the ATT, is another daunting challenge. There is unclear definition of the "arms" and "transfer". Different states may understand these terms in different ways. Such vagueness allows nations to use definitions to legitimize arms sales that possibly go against the grain of the treaty's intent—a more complicated matter in a bid to improve human security.

Lastly, the scope of the **ATT is greatly limited**. This is because the treaty mainly covers conventional weapons. Other categories like small arms and light weapons are conspicuous by their absence in the treaty. These categories often dominate the conflicts and, as such, tend to contribute immensely to human insecurity. The ATT, therefore, fails to alleviate one of the major avenues of violence and instability, for most regions, in its effectiveness into global human security.

CHALLENGES TO EFFECTIVE IMPLEMENTATION

The ATT aims to regulate international arms trade and diversion of arms into unauthorized users, which then further enhances human security. However, although the ATT has the potential to be implemented effectively, it is still faced by various challenges in implementing it effectively while allowing room for improvement. Described in detail below are these challenges and strategies that facilitate an effective implementation.

Lack of Universal Participation:

Perhaps most seriously, universal participation in the ATT is still lacking, which inhibits the effectiveness of this global mechanism in controlling arms circulation. Up to 2023, the ATT has been ratified by only 110 states; the vast majority of the international community acts outside these rules. This lack of universal participation hampers the complete framework of global arms control, and non-signatory states continue to conduct arms trade not governed by the set standards of the treaty. There could also be an inconsistency in the enforcement of arms control on those who are signatory because the interpretation and prioritization of arms control might vary from one state to another. Besides, non-universal participation promotes diversion of arms to illicit markets and unauthorized end-users, such as terrorist organizations or armed groups. This could continue to embolden regional conflicts, fuel human rights violations, and hinder international peace and security. Effort would be made to ensure the increasing ratification by more states of the ATT to make the global regime of arms control more unanimous and effective. Diplomatic outreach, capacity-building assistance, and redress of concerns regarding the non-signatory states might all be included as incentives to encourage their participation. Universal ratification works toward building a much stronger impact with ATT and further creates a more stable and secure world.

Weak Governance and Corruption:

Weak governance and corruption are significant bottlenecks in the implementation of the ATT in most countries, especially those that have experienced past or ongoing conflicts or political instability. In such an environment, governance structures lack the strength and integrity needed for rule of regulations and therefore easily break and develop enormous holes in accountability and oversight. Corruption can be seen in myriad forms, from bribery and collusive behavior by officials to perhaps even bribing one's way to getting arms diverted into the hands of unauthorized users, groups, or organizations. While it serves to strengthen violence and aggravate violations of human rights, this seems to work against international efforts to regulate arms transfers and peaceful resolutions. Furthermore, unclear mechanisms for tracking the sales and distribution of arms are an avenue for abuse by corrupt actors. Hence, the ATT implementation is very cumbersome. In this respect, governance mechanisms must be bolstered as well as accountability measures to ensure effective regulation in curbing arms flow but should allow for monitoring. This calls for a collective effort by both national governments and the international community to create an environment of transparency, rule of law, and institutional integrity through efforts aimed at defending the right of humans.

Insufficient Resources:

Applying the ATT would be a challenge, especially for developing countries, who lack necessary financial and infrastructure resources to actualize their roles. Monitoring and enforcements postulated under the ATT will require heavy capitals as it demands real and tangible successes in arms control, however many of these states, especially those of lower economic capability, are rationed in allocations to the areas required. The gap in resources leads to incomplete implementation of the treaty, to the extent that resultant arms control systems are ineffective in dealing with proliferation concerns and risks. Increased complexities are also realized due to the low technical capacity and lack of the appropriate tools for compliance. Thus, if such resources become inadequate, the ATT may not actually benefit developing states because those nations are vulnerable to the challenges posed by arms proliferation and undermine global security efforts.

Political Will:

The political will of the states will make ATT achieve success through making human rights and security precedence over national interests. In many situations, the intention to comply with the provisions agreed in the treaty is overshadowed by the national interest, especially by the economic interests of the arms trade sector. This partial compliance undermines both the effectiveness of the treaty and the overall goal of achieving an improvement in accountability in the transfer of arms. High on the list is building strong political will; it is not just a commitment to conform to international norms but also to challenge states to confront the tensions inherent in their security agendas and human rights protection. There are many contexts in which the justification of arms transfers often hinges heavily on perceived national security threats, which turns into a cycle of violence and human rights violations. It, therefore, calls for the need to shift the priorities, where states actively engage in transparent practices and collaborate with civil society in order that arms transfers should not fuel human rights abuses and thus strengthen the ATT's objectives, improve global security, and more.

Diversion and Illicit Trade:

Diversion of arms to unauthorized users has been cited as a threat to international security and stability, and the regions characterized by weak frameworks are the most vulnerable. The success of the ATT thus depends on states demonstrating commitment to active monitoring of arms transfers and strong measures to prevent diversion. This further encompasses the establishment of thorough national control systems and ensuring that the exportation of arms does not add to violations of human rights and exacerbate conflicts. The ATT also has its drawbacks, including the fact that it is not legally binding on states and does not introduce much control on transfers to private actors, heightening the general concern over its effectiveness, in the first instance, given that the most important arms-exporting countries do not ratify it. For example, the very fact that Russia abstained in relation to the ATT underlines the potential of significant arms transfers from happening outside the purview of the treaty and, therefore, the illegal trade in arms to unauthorized users is highly likely to continue. Engagement of industry and private sector actors is important in this regard, as they are integral members of the arms transfer chain and can indicate where "red flags" and risk indicators suggesting possible diversion may exist-so increasing ATT compliance and contributing to efforts around the world to combat trafficking.

Complexity of Implementation:

The implementation requirement of states to scan every transfer of arms for any violation of human rights and breach in international humanitarian law leads to its challenge, which would mean differing interpretations of the same provisions of a treaty in different jurisdictions. This challenge would be well met through clear guidelines and best practices during assessment to strengthen uniformity in adherence to the treaty. The preamble of the ATT declares: "The need to prevent, in all circumstances, and to eradicate the illicit trade in conventional arms and to prevent their diversion to the illicit market, or for unauthorized end use and end users, including in the commission of terrorist acts." Art 6 of the agreement prohibits authorizing arms transfers when a state has knowledge that the arms would be used in the commission of genocide, crimes against humanity, grave breaches of the Geneva Conventions of 1949, attacks directed against civilian objects or civilians protected as such, or other war crimes as defined by international agreements to which it is a party. Article 7 should find that the importing States have decided whether or not, based on information available to the exporting State at the relevant time, there was a real risk that the conventional arms or items could be used in the commission or attempted commission of: a serious violation of international humanitarian law, a serious violation of international human rights law, any act constituting an offence under international conventions or protocols relating to terrorism to which the exporting State is a party, or any act constituting an offence under international conventions or protocols relating to transnational organised crime to which the exporting State is a party. To this effect, the ATT Secretariat devised what it called "ATT Implementation Toolkit," aimed to oversee the whole process of the treaty, of which risk assessment process forms part. There was also the ATT Working Group on Effective Treaty Implementation that served to exchange information and best practices among the states parties. By further clearly spelling out guidelines and encouraging harmonization of approaches by the different state parties, intricacy in the process of implementing ATT can be lessened, eventually moving toward more uniform and genuine compliance with the treaty.

STRATEGIES FOR EFFECTIVE IMPLEMENTATION OF THE ARMS TRADE TREATY

The ATT can, therefore potentially bolster human security by regulation of the international arms trade as well as preventing diversion of weapons to unauthorized users. A multi-faceted approach in addressing the various challenges facing the states is required for the effective implementation of the ATT. Below are the strategies that can be taken to enhance the implementation of the ATT in more details:

Enhancing Universal Participation:



Encouraging more states to ratify the ATT is therefore important to make it effective in the regulation of global arms trade. Bilateral and multilateral diplomatic negotiations can urge other states that are not signatories to become one. International organizations like the United Nations can assist in negotiating and creating an avenue for dialogue. Other campaigns could focus on the benefits available from the ATT, such as regional stability and the reduction of human suffering. The states could be persuaded into ratifying the treaty through increased involvement with regional organizations, such as the African Union or the Association of Southeast Asian Nations (ASEAN), in advancing the objectives of the ATT at a regional level towards greater participation. Such growth in the number of states parties would thus advance the overall framework in arms control and reduce the probability of diversion to conflict zones or human rights violators.

Strengthening Governance and Accountability:

Effective and strong governance structures and accountability mechanisms at the national level are crucial for successful implementation of the ATT. States should establish processes that are transparent for the evaluation of transfers of arms for decisions to be stated as clear criteria and treaty-compliant, such as maintaining national control lists outlining the control of particular arms types and conducting end-use and end-user controls. Independent oversight bodies, such as parliamentary committees or national arms control authorities, can safeguard some degree of accountability to check compliance with the ATT and explore any instances of non-compliance. Such oversight bodies need to be adequately funded, competent, and authorized with powers to conduct effective oversight of arms transfers and against violators. International cooperation can better facilitate capacity building efforts in areas of low governance, specifically via technical assistance and training to strengthen the systems of national arms controls. States will thereby only be able to build trust in ATT through responsible arms transfers by strengthening its governance and accountability mechanism.

Providing Technical and Financial Assistance:

Many countries, especially developing states, face significant gaps in resources and infrastructure for effective implementation of the ATT. Technical and financial assistance by developed countries and international organizations would be highly instrumental in improving their capabilities in these areas and facilitating efforts toward full compliance with the measure. Training customs and law enforcement officers to identify and seize illicit shipments, the development of monitoring systems and improvement of data on arms transfers would all be important components of these efforts. Funds for the establishment of such institutions as a national control list and licensing authorities can be offered, and the resources required for effective enforcement of the provisions of the ATT provided. International organizations like the United Nations and regional bodies can offer coordination and facilitate the delivery of such assistance so that support is focused on the particular needs of recipient states. In that case, it shall be able to bridge the capacity gap by providing technical and financial support to enable more states to implement the ATT effectively.

Fostering Political Will:

This depends on the states' political will to shift to human security over immediate short-term politically or economically triggered interests. Advocacy, which raises awareness on the human security implications of arms proliferation, facilitates building such political will. Civil society organizations, human rights advocates, as well as media, can apply public pressure on governments to achieve the ATT's objectives. International and regional organizations can also facilitate political will through dialogue and cooperation among states, best practices promotion, and instruction on effective implementation. Policymakers must also realize that long-term benefits of responsible arms transfer mean improved regional stability, reduced human suffering, and enhanced international reputation, among others. In fostering political will, states can illustrate their commitment to the principles of the ATT while effecting arms transfers in a manner that respects human rights and international humanitarian law.

Improving Monitoring and Reporting Mechanisms:

Monitoring and reporting should be effective enough to track whether arms are being diverted to unauthorized users and as means of countering the illicit trade in arms. States must resort to appropriate tracking mechanisms for transfers of arms so that weapons are traceable from manufacture to end-use. This would include, among other measures, distinguishing features or identification, such as serial numbers and markings, and a more complete record-keeping system. States should also provide procedures regarding reporting suspicious transactions, whether in the form of attempted diversions or unauthorized re-transfers, to concerned agencies. International cooperation in the area of intelligence gathering would strengthen the fight against illicit arms trade since it would help states identify patterns, trends, or potential threats. Reporting under the ATT, which includes requiring states parties to file annual reports on their arms transfers, should be amplified for greater transparency and accountability. Better monitoring and reporting mechanisms would help in preventing diversion of arms and ensure transfers are carried out in conformity with treaty provisions.

Creating Clear Guidelines for Assessment:

Because the ATT's implementation involves something as complex, different states may interpret its provisions in varying ways, thus giving rise to inconsistent processes of decision-making. In response to such a challenge,

states should make guidelines for assessing arms transfers according to the criteria in this treaty. These could include the likelihood of the arms being used to commit or facilitate grave violations of international humanitarian law, serious violation of human rights law, acts constituted crimes against humanity or genocide, or terrorist attacks. Such best practices should be based on international best practices. These guidelines should be developed in consultation with the relevant stakeholders including but not limited to civil society organizations and arms control experts. States should also share case studies and lessons learned to improve understanding and consistency in the application of the assessment criteria set by the ATT. States' clear guidelines for assessment, therefore, enhance the transparency and predictability of state arms transfer decisions taken while they remain invariably consistent with the objectives of a treaty.

Promoting Regional Cooperation:

This is because the ATT will be successful only by regional cooperation because diversion activities happen at regional levels, constituting the greater percentage of arms transfers. Regional organizations can facilitate cooperation among member states using a platform for dialogue and sharing of best practices while coordination of actions combating illicit arms trade. These organizations can also sponsor capacity building programs, for example, training of customs and law enforcement personnel as well as help mobilize resources toward implementation. Regional cooperation can also enhance collective security by allowing states to identify and address common threats and challenges with respect to arms proliferation. Attending to this, the ATT will tap on already established structures and networks in order to enhance compliance and enforcement that will, by extension, strengthen human security at the regional level. Examples of regional cooperation initiatives include the convention on small arms and light weapons, their ammunition, and other related materials of the Economic Community of West African States and the Nairobi Protocol for the Prevention, Control, and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa.

FINDINGS

The ATT study is focused on the role of this treaty in facilitation of human security by creating a total framework with regard to the international trade of conventional arms. It also requires serious risk assessments and setting up national control systems toward the stopping of transfers of arms, which could subsequently lead to violations of human rights or spur on conflict. However, this treaty faces several challenges such as the presence of non-signatory states, mechanisms of enforcement that are too weak, and ambiguity in terms. This would simply imply the urgent requirement of regional cooperation and political commitment for making the treaty more effective in its direction towards greater transparency, accountability, and resource allocation for fulfilling the objectives of ATT and making human security better on a global level

CONCLUSION

In conclusion, the ATT is an international instrument intended to regulate international trade in conventional arms, promote transparency, and prohibit wrong or improper use of arms, particularly in areas prone to conflict. For one, obliging risk assessments and strict transfers of arms which could lead to violations of human rights or infringement of international humanitarian law strengthen the human security paradigm over the more traditional state-centric models with better protection for individuals and communities. Its actualization will particularly in the Sub-Saharan Africa and Europe greatly serve to curb flows of arms to destabilizing forces such as non-state actors and oppressive regimes into bringing forth greater peace, security, and stability. Where it may fall back from realist expectations because of challenges in its enforceability and applicability univocally, the ATT stands among the most important instruments for global efforts toward the prevention of atrocity crimes and towards promoting accountability in the arms trade-it aligns closely with wider goals of human security and international law.