8. ARMS TRADE TREATY

New York, 2 April 2013

ENTRY INTO FORCE: 24 December 2014, in accordance with article 22.

REGISTRATION: 24 December 2014, No. 52373.

STATUS: Signatories: 130. Parties: 118.

TEXT: United Nations,*Treaty Series*,vol. 3013, p.269. See also C.N.266.2013.TREATIES.XXVI-8 of 10 May 2013 (Proposal of corrections to the original text of the Treaty (Arabic and Chinese authentic texts) and C.N.554.2013.TREATIES.XXVI-8 of 19 August 2013 (Corrections); C.N.279.2013.TREATIES.XXVI-8 of 16 May 2013 (Proposal of corrections to the original text of the Treaty (French and Spanish authentic texts) and the certified true copies) and C.N.553.2013.TREATIES.XXVI-8 of 19 August 2013 (Corrections); C.N.297.2013.TREATIES.XXVI-8 of 30 May 2013 (Proposal of corrections to the Russian authentic text and the certified true copies) and C.N.584.2013.TREATIES.XXVI-8 of 13 September 2013 (Corrections).

Note: The Treaty was adopted on 2 April 2013 by resolution 67/234B during the sixty-seventh session of the General Assembly of the United Nations. The Treaty shall be open for signature at the United Nations Headquarters in New York by all States from 3 June 2013 until its entry into force.

Participant	*Signature*	*Provisional application under article 23(n)*	*Approval(AA), Acceptance(A), Accession(a), Ratification*
Afghanistan			29 Jul 2020 a
Albania	3 Jun 2013		19 Mar 2014
Andorra	18 Dec 2014		2 Dec 2022
Angola	24 Sep 2013		
Antigua and Barbuda	3 Jun 2013	12 Aug 2013 n	12 Aug 2013
Argentina	3 Jun 2013		25 Sep 2014
Australia	3 Jun 2013		3 Jun 2014
Austria	3 Jun 2013	3 Jun 2014 n	3 Jun 2014
Bahamas (The)	3 Jun 2013	25 Sep 2014 n	25 Sep 2014
Bahrain	21 Nov 2013		
Bangladesh	26 Sep 2013		
Barbados	25 Sep 2013		20 May 2015
Belgium	3 Jun 2013		3 Jun 2014
Belize	3 Jun 2013		19 Mar 2015
Benin	3 Jun 2013		7 Nov 2016
Bosnia and Herzegovina	25 Sep 2013		25 Sep 2014
Botswana			7 Jun 2019 a
Brazil	3 Jun 2013		14 Aug 2018
Bulgaria	2 Jul 2013		2 Apr 2014
Burkina Faso	3 Jun 2013		3 Jun 2014
Burundi	3 Jun 2013		
Cabo Verde	25 Sep 2013		23 Sep 2016
Cambodia	18 Oct 2013		
Cameroon	3 Dec 2014		18 Jun 2018

Participant	*Signature*	*Provisional application under article 23(n)*	*Approval(AA), Acceptance(A), Accession(a), Ratification*
Canada			19 Jun 2019 a
Central African Republic			7 Oct 2015 a
Chad	25 Sep 2013		25 Mar 2015
Chile	3 Jun 2013		18 May 2018
China			6 Jul 2020 a
Colombia	24 Sep 2013		15 Oct 2024
Comoros	26 Sep 2013		
Congo	25 Sep 2013		
Costa Rica	3 Jun 2013	25 Sep 2013 n	25 Sep 2013
Côte d'Ivoire	3 Jun 2013		26 Feb 2015
Croatia	3 Jun 2013		2 Apr 2014
Cyprus	3 Jun 2013		10 May 2016
Czech Republic	3 Jun 2013		25 Sep 2014
Denmark[1]	3 Jun 2013	2 Apr 2014 n	2 Apr 2014 AA
Djibouti	3 Jun 2013		
Dominica	1 Oct 2013		21 May 2015
Dominican Republic	3 Jun 2013		7 Aug 2014
Ecuador			25 Feb 2026 a
El Salvador	5 Jun 2013		2 Apr 2014
Estonia	3 Jun 2013	2 Apr 2014 n	2 Apr 2014 AA
Eswatini	4 Sep 2013		
Finland	3 Jun 2013	2 Apr 2014 n	2 Apr 2014
France	3 Jun 2013		2 Apr 2014
Gabon	25 Sep 2013		21 Sep 2022 A
Gambia			13 Jun 2024 a
Georgia	25 Sep 2014		23 May 2016
Germany	3 Jun 2013	2 Apr 2014 n	2 Apr 2014
Ghana	24 Sep 2013		22 Dec 2015
Greece	3 Jun 2013		29 Feb 2016
Grenada	3 Jun 2013		21 Oct 2013
Guatemala	24 Jun 2013		12 Jul 2016
Guinea	29 Jul 2013		21 Oct 2014
Guinea-Bissau	26 Sep 2013		22 Oct 2018
Guyana	3 Jun 2013		4 Jul 2013
Haiti	21 Mar 2014		
Honduras	25 Sep 2013		1 Mar 2017
Hungary	3 Jun 2013	2 Apr 2014 n	2 Apr 2014
Iceland	3 Jun 2013	2 Jul 2013 n	2 Jul 2013
Ireland	3 Jun 2013		2 Apr 2014
Israel	18 Dec 2014		
Italy	3 Jun 2013		2 Apr 2014
Jamaica	3 Jun 2013		3 Jun 2014
Japan	3 Jun 2013		9 May 2014 A

Participant	*Signature*	*Provisional application under article 23(n)*	*Approval(AA), Acceptance(A), Accession(a), Ratification*
Kazakhstan			8 Dec 2017 a
Kiribati	25 Sep 2013		
Latvia	3 Jun 2013	2 Apr 2014 n	2 Apr 2014
Lebanon	27 Oct 2014		9 May 2019
Lesotho	25 Sep 2013		25 Jan 2016
Liberia	4 Jun 2013		21 Apr 2015
Libya	9 Jul 2013		
Liechtenstein	3 Jun 2013		16 Dec 2014
Lithuania	3 Jun 2013		18 Dec 2014
Luxembourg	3 Jun 2013		3 Jun 2014
Madagascar	25 Sep 2013		22 Sep 2016
Malawi	9 Jan 2014		11 Jul 2024
Malaysia	26 Sep 2013		
Maldives			27 Sep 2019 a
Mali	3 Jun 2013		3 Dec 2013
Malta	3 Jun 2013		2 Apr 2014
Mauritania	3 Jun 2013		23 Sep 2015
Mauritius			23 Jul 2015 a
Mexico	3 Jun 2013	25 Sep 2013 n	25 Sep 2013
Monaco			30 Jun 2016 a
Mongolia	24 Sep 2013		
Montenegro	3 Jun 2013		18 Aug 2014
Mozambique	3 Jun 2013		14 Dec 2018
Namibia	25 Sep 2014		28 Apr 2020
Naoero	25 Sep 2013		
Netherlands (Kingdom of the)	3 Jun 2013		18 Dec 2014 A
New Zealand[2]	3 Jun 2013	2 Sep 2014 n	2 Sep 2014
Niger	24 Mar 2014		24 Jul 2015
Nigeria	12 Aug 2013		12 Aug 2013
Niue			6 Aug 2020 a
North Macedonia	25 Sep 2013		6 Mar 2014
Norway	3 Jun 2013	12 Feb 2014 n	12 Feb 2014
Palau	3 Jun 2013		8 Apr 2019
Panama	3 Jun 2013		11 Feb 2014
Paraguay	19 Jun 2013		9 Apr 2015
Peru	24 Sep 2013		16 Feb 2016
Philippines	25 Sep 2013		24 Mar 2022
Poland	1 Jul 2013		17 Dec 2014
Portugal	3 Jun 2013		25 Sep 2014
Republic of Korea	3 Jun 2013		28 Nov 2016
Republic of Moldova	10 Sep 2013		28 Sep 2015
Romania	3 Jun 2013		2 Apr 2014
Rwanda	5 Jun 2013		

Participant	*Signature*	*Provisional application under article 23(n)*	*Approval(AA), Acceptance(A), Accession(a), Ratification*
Samoa	25 Sep 2013		3 Jun 2014
San Marino	19 Dec 2014		29 Jul 2015
Sao Tome and Principe	19 Dec 2014		28 Jul 2020
Senegal	3 Jun 2013		25 Sep 2014
Serbia	12 Aug 2013	12 Aug 2013 n	5 Dec 2014
Seychelles	3 Jun 2013		2 Nov 2015
Sierra Leone	25 Sep 2013		12 Aug 2014
Singapore	5 Dec 2014		
Slovakia	10 Jun 2013	2 Apr 2014 n	2 Apr 2014
Slovenia	3 Jun 2013		2 Apr 2014
South Africa	25 Sep 2013		22 Dec 2014
Spain	3 Jun 2013	3 Jun 2013 n	2 Apr 2014
St. Kitts and Nevis	5 Jun 2013		15 Dec 2014
St. Lucia	3 Jun 2013		25 Sep 2014
St. Vincent and the Grenadines	3 Jun 2013	3 Jun 2014 n	3 Jun 2014
State of Palestine			29 Dec 2017 a
Suriname	3 Jun 2013		19 Oct 2018
Sweden	3 Jun 2013	16 Jun 2014 n	16 Jun 2014
Switzerland	3 Jun 2013	30 Jan 2015 n	30 Jan 2015
Thailand	25 Nov 2014		
Togo	3 Jun 2013		8 Oct 2015
Trinidad and Tobago	3 Jun 2013	25 Sep 2013 n	25 Sep 2013
Türkiye	2 Jul 2013		
Tuvalu	3 Jun 2013		4 Sep 2015
Ukraine	23 Sep 2014		
United Arab Emirates	9 Jul 2013		
United Kingdom of Great Britain and Northern Ireland	3 Jun 2013	2 Apr 2014 n	2 Apr 2014
United Republic of Tanzania	3 Jun 2013		
United States of America[3]	25 Sep 2013		
Uruguay	3 Jun 2013		25 Sep 2014
Vanuatu	26 Jul 2013		5 Sep 2025
Zambia	25 Sep 2013		20 May 2016
Zimbabwe	18 Dec 2014		

Declarations and Reservations
(Unless otherwise indicated, the declarations and reservations were made upon acceptance, accession, approval, ratification or provisional application.)

BELGIUM

Declaration:

"This signature engages also the Walloon Region, the Flemish Region and the Brussels-Capital Region."

CHINA

In accordance with the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China and the Basic Law of the Macao Special Administrative Region of the People's Republic of China, the Government of the People's Republic of China decides that the Treaty applies to the Hong Kong Special

Administrative Region and the Macao Special Administrative Region of the People's Republic of China.

KAZAKHSTAN

"The Republic of Kazakhstan, recognizing the object and purpose of the Treaty and notwithstanding Article 28 of the Treaty, declares that in the application of the Treaty the term "перенаправление" (diversion) in Article 13, paragraph 2 of the Treaty in Russian shall be understood as "незаконное перенаправление" (illegal diversion)."

LIECHTENSTEIN

"It is the understanding of Liechtenstein that the terms "export", "import", "transit", "transshipment" and "brokering" in Article 2, paragraph 2, include, in light of the object and purpose of this Treaty and in accordance with their ordinary meaning, monetary or non-monetary transactions, such as gifts, loans and leases, and that therefore these activities fall under the scope of this Treaty.

It is the understanding of Liechtenstein that the term "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" in Article 6, paragraph 3, encompasses acts committed in international and in non-international armed conflicts, and includes, among others, serious violations of Common Article 3 to the Geneva Conventions of 1949; as well as, for States Parties to the relevant agreements, war crimes as described in the Hague Convention IV of 1907 and its Regulations, the Additional Protocols of 1977 to the Geneva Conventions and the Rome Statute of the International Criminal Court of 1998.

It is the understanding of Liechtenstein that the term "knowledge" in Article 6, paragraph 3, in light of the object and purpose of this Treaty and in accordance with its ordinary meaning, implies that the State Party concerned shall not authorise the transfer if it has reliable information providing substantial grounds to believe that the arms or items would be used in the commission of the crimes listed.

It is the understanding of Liechtenstein that the term "overriding risk" in Article 7, paragraph 3, encompasses, in light of the object and purpose of this Treaty and in accordance with the ordinary meaning of all equally authentic language versions of this term in this Treaty, an obligation not to authorise the export whenever the State Party concerned determines that any of the negative consequences set out in paragraph 1 are more likely to materialise than not, even after the expected effect of any mitigating measures has been considered.

It is the understanding of Liechtenstein that Article 26, paragraph 2, seeks to ensure that in a private law dispute, this Treaty cannot be relied upon as a reason to declare as invalid existing or future international defence cooperation agreements concluded between States Parties, and as a consequence, this Treaty remains applicable for any State Party in disregard of obligations under a defence cooperation agreement, in accordance with the Vienna Convention on the Law of Treaties of 1969."

NEW ZEALAND[2]

"…
the Government of New Zealand
…
DECLARES that it considers that the reference to "ammunitions/munitions" in Article 3 of the Treaty means "ammunition and munitions" and that accordingly the scope of the Treaty includes both ammunition and munitions fired, launched or delivered by the conventional arms covered under Article 2(1);

AND DECLARES that it considers the reference to "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" in Article 6(3), encompasses acts committed in international and in non-international armed conflict, and includes serious violations of Common Article 3 to the Geneva Convention of 1949 as well as, for States Parties to the relevant agreements, war crimes as described in the Hague Convention IV of 1907 and its Regulations, the Additional Protocols of 1977 to the Geneva Conventions and the Rome Statute of the International Criminal Court;

AND DECLARES that it considers the effect of the term "overriding risk" in Article 7(3) is to require that it decline to authorize any export where it is determined that there is a substantial risk of any of the negative consequences in Article 7(1);

AND DECLARES that it considers that where a non-monetary transaction, such as a gift, loan or lease, involves the transfer or arms or items within the scope of the Treaty, such transaction will be covered by the Treaty;

AND DECLARES that it considers that the Treaty does not place any further restrictions on the international movement of small arms for legitimate recreational and sporting activities where there is no change in ownership of these arms;

AND DECLARES that it considers that all obligations in the Treaty relating to transit and transshipment of arms or items within the scope of the Treaty must be read in the light of Article 9 …"

SWITZERLAND

… It is the understanding of Switzerland that the terms "export", "import", "transit", "transshipment" and "brokering" in Article 2, paragraph 2, include, in the light of the object and purpose of this Treaty and in accordance with their ordinary meaning, monetary or non-monetary transactions, such as gifts, loans and leases, and that therefore these activities fall within the scope of this Treaty.

It is the understanding of Switzerland that the term "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" in article 6, paragraph 3, encompasses acts committed in international and in non-international armed conflicts, and includes, among others, serious violations of Common Article 3 to the Geneva Conventions of 1949; as well as, for States Parties to the relevant agreements, war crimes as described in the Hague Convention IV of 1907 and its Regulations, the Additional Protocols of 1977 to the Geneva Conventions and the Rome Statute of the International Criminal Court of 1998.

It is the understanding of Switzerland that the term "knowledge" in Article 6, paragraph 3, in the light of the object and purpose of this Treaty and in accordance with its ordinary meaning, implies that the State Party concerned shall not authorize the transfer if it has reliable information providing substantial grounds to believe that the arms or items would be used in the commission of the crimes listed.

It is the understanding of Switzerland that the term "overriding risk" in Article 7, paragraph 3, encompasses, in the light of the object and purpose of this Treaty and in accordance with the ordinary meaning of all equally authentic language versions of this term in this Treaty, an obligation not to authorize the export whenever the State Party concerned determines that any of the negative consequences set out paragraph 1 are more likely to materialize than not, even after the expected effect of any mitigating measures has been considered.

It is the understanding of Switzerland that Article 26, paragraph 2, seeks to ensure that in a private law dispute, this Treaty cannot be relied upon as a reason to declare as invalid existing or future international defence cooperation agreements concluded between States Parties, and as a consequence, this Treaty remains applicable for

any State Party in disregard of obligations under a defence cooperation agreement, in accordance with the Vienna Convention on the Law of Treaties of 1969.

Notes:

[1] Upon its Approval of the Treaty, the Government of Denmark notified the Secretary-General of the following:

"The Treaty shall not apply to the Faroe Islands and Greenland until further notice."

[2] Upon its Ratification of the Treaty, the Government of New Zealand notified the Secretary-General of the following:

"… consistent with the constitutional status of Tokelau and taking into account the commitment of the Government of New Zealand to the development of self-government for Tokelau through an act of self-determination under the Charter of the United Nations, [the] ratification [of the Arms Trade Treaty] shall not extend to Tokelau unless and until a Declaration to this effect is lodged by the Government of New Zealand with the depository on the basis of appropriate consultation with that territory …"

[3] In a communication received on 18 July 2019, the Government of the United States of America informed the Secretary-General of the following:

"This is to inform you, in connection with the Arms Trade Treaty, done at New York on April 2, 2013, that the United States does not intend to become a party to the treaty. Accordingly, the United States has no legal obligations arising from its signature on September 25, 2013.

The United States requests that its intention not to become a party, as expressed in this letter, be reflected in the depositary's status lists relating to this treaty, and all other publicly available media relating to the treaty be updated to reflect this intention not to become a party."