



**Open Ended Working Group on an
Arms Trade Treaty
New York, July 16. 2009**

**Statement of
Mark Barnes, on behalf of the
Firearms Importers Roundtable Trade Group
United States of America**

Mr. Chairman, my name is Mark Barnes and I am an attorney who specializes in firearms and explosives issues including the import and export of firearms.

I am here today on behalf of the Firearms Importers Roundtable Trade Group, the FAIR Trade Group. We, and particularly our President, Mr. Walker English, want to thank you, Ambassador Moritan, for the opportunity to address this session of the United Nations Open-Ended Working Group on an Arms Trade Treaty. FAIR looks forward to working with you and the Group in the future.

We, and I am sure the other NGOs, join in this sentiment, and certainly hope this is the first of many occasions where we participate in this important process. Given that, Mr. Chairman, I will be brief in what is only our initial presentation.

The FAIR Trade Group is the only U.S. trade association dedicated exclusively to representing the interests of the firearms and ammunition import and export community, and to promoting the continued success of these businesses.

Our organization has built a strong working relationship with many U.S. government agencies, and works intimately with the Bureau of Alcohol, Tobacco, Firearms and Explosives, the Department of State and the Department of Commerce.

FAIR believes that the goal of reducing illegal arms diversions can be aided by innovative private sector solutions. For example, in past discussions with the U.S. Department of State, FAIR made a proposal to the Department to reduce the use of taxpayer money for the destruction of surplus and illicit small arms and light weapons. We proposed doing the work at a greatly reduced cost if we could salvage certain parts for the lawful commercial market as replacement and repair parts.

NGO in Roster Consultative Status with the Economic and Social Council of the United Nations

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Mr. Chairman, we are concerned that the proposed efforts of the Open-Ended Working Group to implement a future Arms Trade Treaty will be too broad in scope, and, as a result, will have a substantial, detrimental impact on legitimate international trade.

The firearms and ammunition import and export industry is a unique and distinctive market that could potentially be excessively encumbered if the drafters are not careful and considerate of the treaty's parameters.

The goal of the Open Ended Working Group to further world peace and to institutionalize a set of standards that promote international humanitarian laws is commendable. It is readily apparent that some countries need to catch up with jurisdictions like the United Kingdom, members of the EU and the United States when it comes to both import and export controls. However, jurisdictions that have functioning safeguards in place, and properly enforce them, should not be penalized for the less successful efforts in other countries and regions of the world.

One of the more unusual aspects of this process is that as both states and NGOs, we are commenting on the concept of an ATT, not the actual text of a treaty. The process has been described in terms of defining the feasibility, scope and parameters. In essence, most interventions presented are what the particular party does or does not want from a future ATT.

We would argue that the perspective of the FAIR Trade Group is unique in that its members may be more directly affected by some future ATT and/or ATT regime than any other interested party.

Mr. Chairman we would ask the report of this body to the General Assembly note or recommend three things:

First, Mr. Chairman, we would ask that the report note there is a legitimate market in surplus military arms in several jurisdictions.

Second, we would ask that the report recommend any future ATT or ATT regime rely upon existing domestic regulatory structures where those structures are deemed to be adequate by the individual State party.

Third, Mr. Chairman, we would hope that the report recommend that there be extensive consultation with and involvement of all segments of the commercial sector. Needless to say this would include importers and exporters like members of the FAIR Trade Group.

Thank you again for the opportunity to present our views.