



TREATY EVENT

2013

Towards Universal
Participation and
Implementation

FACT SHEET #4

NEWLY ADOPTED TREATIES

The following are the three newest multilateral treaties deposited with the Secretary-General:

Protocol to Eliminate Illicit Trade in Tobacco Products

(Seoul, 12 November 2012)

Not yet in force.¹
Signatories: 22.

OBJECTIVES

The Protocol builds upon and complements Article 15 of the World Health Organization (WHO) Framework Convention on Tobacco Control, with the objective of eliminating all forms of illicit trade in tobacco products.

KEY PROVISIONS

The Protocol aims primarily to control the supply chain in tobacco products (Articles 6-13): this has often been referred to as the “heart” of the Protocol. It requires the establishment of a global tracking and tracing regime within five years of entry into force of the Protocol, comprising national and/or regional tracking and tracing systems and a global information sharing point located in the WHO Framework Convention Secretariat.

The Protocol also covers offences (Articles 14-19), with provisions on liability, prosecutions and sanctions, seizure payments and special investigative techniques, as well as the disposal and destruction of confiscated products.

Another key group of substantive articles addresses international cooperation (Articles 20-31), with measures on information sharing, technical and law-enforcement cooperation, protection of sovereignty, jurisdiction, mutual legal and administrative assistance and extradition.

Finally, the Protocol establishes the reporting obligations of the Parties linked to the reporting system of the WHO Framework Convention on Tobacco Control (Article 32).

ENTRY INTO FORCE

The Protocol shall enter into force on the ninetieth day following the date of deposit of the fortieth instrument of ratification, acceptance, approval, formal confirmation or accession with the Depositary.

In accordance with its Article 43, the Protocol is open for signature at the United Nations Headquarters in New

¹ Status as of 31 July 2013.



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York until 9 January 2014. The Protocol is open for participation by the States and regional economic integration organizations that are party to the WHO Framework Convention on Tobacco Control.

Doha Amendment to the Kyoto Protocol to the United Nations Framework Convention on Climate Change

(Doha, 8 December 2012)

Not yet in force.¹
Participant: 1.²

OBJECTIVES

The United Nations Framework Convention on Climate Change aims “to achieve, in accordance with the relevant provisions of the Convention, stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system” (Article 2).

The Kyoto Protocol to the Convention shares this objective and, implementing the Convention, commits Annex I Parties to the Convention to individual, legally-binding targets to limit or reduce their greenhouse gas emissions within a set period.

The first commitment period for the Kyoto Protocol was 2008-2012.

On 8 December 2012, at the eighth session of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol held in Doha, Qatar, the Parties adopted, in accordance with Article 20 and 21 of the Protocol, an Amendment to the Kyoto Protocol by Decision 1/CMP.8 (the “Doha Amendment”).

The Doha Amendment establishes a second commitment period for Annex I Parties, from 2013-2020.

KEY PROVISIONS

Article 1, C of the Doha Amendment to the Kyoto Protocol

The Parties included in Annex I shall, individually or jointly, ensure that their aggregate anthropogenic carbon dioxide equivalent emissions of the greenhouse gases listed in Annex A do not exceed their assigned amounts, calculated pursuant to their quantified emission limitation and reduction commitments inscribed in the third column of the table contained in Annex B and in accordance with the provisions of this Article, with a view to reducing their overall emissions of such gases by at least 18 per cent below 1990 levels in the commitment period 2013 to 2020.

ENTRY INTO FORCE

In accordance with Article 20, paragraph 4, and Article 21, paragraph 7, of the Kyoto Protocol, the Doha Amendment shall enter into force for those Parties having accepted it on the ninetieth day after the date of receipt by the Depositary of an instrument of acceptance by at least three fourths of the Parties to the Protocol.

Under the current membership to the Protocol, the required three fourths of the Parties to the Protocol is 144 States.

Arms Trade Treaty

(New York, 2 April 2013)

Not yet in force.¹
Signatories: 81. Parties: 2.²

OBJECTIVES

The object of the Arms Trade Treaty (ATT) is to establish the highest possible common international standards for regulating or improving the regulation of the international trade in conventional arms; and to prevent and eradicate

the illicit trade in conventional arms and prevent their diversion. As set forth in its Article 1, the object of the ATT aims to fulfil the purpose of contributing to international and regional peace, security and stability, reducing human suffering and promoting cooperation, transparency and responsible action by State Parties in the international trade in convention arms, thereby building confidence among State Parties.

KEY PROVISIONS

The ATT covers a broad range of conventional arms systems, i.e., tanks, armoured vehicles, artillery, combat aircraft, attack helicopters, missiles, and small arms and light weapons. It also covers ammunition for those weapons as well as parts and components that could provide the capability to assemble the weapons covered by the Treaty.

The Treaty clearly prohibits exports of arms or ammunition that would violate Security Council arms embargoes or international commitments related to arms trafficking or if the exporting State has knowledge that those items would be used in the commission of genocide, crimes against humanity, attacks against civilians and other war crimes. It requires States Parties to assess the risk that exports of arms and ammunition would, inter alia, be used in the commission of serious violations of international humanitarian law or international human rights law, to facilitate transnational organized crime or to commit or facilitate acts constituting an offence under relevant conventions and protocols related to terrorism to which the exporting State is a Party. This assessment shall also take into account the risk that exports of covered items would be used to commit or facilitate serious acts of gender-based violence or violence against women and children.

The ATT also contains standards for the regulation of imports, transit and trans-shipment of arms and ammunition as well as brokering therein. Furthermore, it provides that States Parties shall establish and maintain national

arms and ammunition control systems, including national control lists, take measures to prevent the diversion of those items and submit an initial report on measures taken to implement the Treaty as well as annual reports on their exports and imports of conventional arms. Finally, it encourages international cooperation and assistance in order to ensure that all Parties will have the information and the capacity to implement the Treaty.

ENTRY INTO FORCE

The ATT is open for signature at the United Nations Headquarters in New York until its entry into force.

The ATT shall enter into force ninety days following the date of the deposit of the fiftieth instrument of ratification, acceptance or approval with the Depositary. Subsequent to its entry into force the ATT shall enter into force for a State ninety days following the date of deposit of its instrument of ratification, acceptance, approval or accession.

In accordance with its Article 23, any State may at the time of signature or the deposit of its instrument of ratification, acceptance, approval or accession, declare that it will apply provisionally Article 6 and Article 7 pending the entry into force of the ATT for that State.

¹ Status as of 31 July 2013.

² United Arab Emirates

¹ Status as of 31 July 2013.

² Guyana and Iceland



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