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ABSENCE OF GLOBAL STANDARDS FOR ARMS TRADE ‘DEFIES EXPLANATION’, BUT AFTER LONG JOURNEY, FINAL DESTINATION IN SIGHT, SECRETARY-GENERAL TELLS CONFERENCE

New Round of Negotiations Gets Under Way to Reach Consensus on Binding Treaty to Control Cross-border Trade

With a multi-billion-dollar trade in conventional weapons still threatening the lives of millions of civilians around the world, the time had come for States to overcome past setbacks and deliver on a robust, legally binding arms trade treaty, Secretary-General Ban Ki-moon told a packed room at Headquarters as the Final United Nations Conference on the Arms Trade Treaty kicked off this morning.

“After a very long journey, our final destination is in sight,” he told delegates, who had gathered to attend the two-week conference. Indeed, following the failure of the July 2012 Arms Trade Treaty Conference to reach an agreement on a draft text, the question of regulating the international trade in conventional weapons remained a complex one, touching on issues ranging from commerce to national security to human rights and humanitarian law.

However, he said that while it was no doubt a difficult issue, the still-unresolved absence of the rule of law in the conventional arms trade “defies explanation”. There were international standards regulating everything from T-shirts to toys to tomatoes. There were even regulations for furniture, meaning that “there are common standards for the global trade in armchairs, but not for the global trade in arms,” and families and communities around the world were paying a heavy price.

Indeed, poorly regulated global arms deals undermined sustainable development, fostered conflict and undercut the Organization’s peacekeeping, peacebuilding and humanitarian efforts, leading to the deaths of more than half a million people each year, the Secretary-General said, adding that the arms trade treaty “will put warlords, pirates, human rights abusers, organized criminals, terrorists and gun runners on notice”.

The first United Nations Conference on the Arms Trade Treaty — mandated by the General Assembly in its landmark resolution 61/89 of 2006 — met from 2 to 27 July 2012 in New York and, despite the widely held view that considerable political capital had been spent there, no consensus was reached on a treaty. Nevertheless, momentum gathered for the General Assembly’s decision to convene a final conference in 2013, with its negotiations based on a draft treaty text submitted by the Conference President on 26 July 2012.

Indeed, “we are not starting with a blank sheet,” said Conference President Peter Woolcott, and while last year’s Conference had ended with a disappointing lack of consensus, he said he believed that “disappointment has now given way to determination”. He urged delegates to build on the July 2012 text and to exert focus and discipline in seeking solutions that could bridge remaining differences.

Throughout the Conference’s day-long general exchange of views, the more than 50 speakers who took the floor stressed the importance of seizing the opportunity to further the process and ensure that progress not be stalled. “Failure is not an option,” said the representative of the Netherlands, addressing the Conference on behalf of Denmark, Germany, Mexico and the United Kingdom. The groundwork had certainly been laid, and now time was of the essence, he said.

“A perfect piece of paper will not save lives,” said the representative of the United Kingdom, stressing that the Conference was an opportunity to craft a strong text that the majority of States — including the major arms exporters — could implement. Like many other speakers, she remained convinced that an arms trade treaty should cover all conventional arms, their munitions, and parts and components, and added that introducing mandatory public reporting would improve the transparency of the arms trade and tackle diversion to the illicit market.

The representative of France, also speaking on behalf of China, the Russian Federation, the United Kingdom and the United States, called for the adoption of a simple, short and easy text. However, he cautioned, the treaty should not hinder the legitimate arms trade or the legitimate right to self-defence. Rather, it should create a shared responsibility in the transfer of conventional arms between all States, be they exporters, importers or transit countries.

In that vein, other speakers stressed that respect for State sovereignty and territorial integrity must be a central tenet of any potential treaty. The representative of Kuwait, speaking on behalf of the Arab Group, said that it would not accept any legal provisions that could lead to the use of the treaty as a pretext to interfere in the internal affairs of States. Efforts should focus on reaching “tangible goals free of ambiguities and loopholes” that would leave it open to political selectivity, double standards and manipulations, he said.

The representative of Cuba emphasized the challenge of completing, in just nine days, such a complex treaty. With the application of the term “final” in the title of the Arms Trade Treaty Conference, an artificial and dangerous “now or never” scenario was imposed. “It should not be the purpose to adopt a treaty at any cost,” he warned.

Speaking on behalf of the African States, the representative of Nigeria said that the text must ensure that weapons did not fall into the hands of terrorist groups, and called for strengthened capacity-building through international cooperation. A “realistic and flexible” approach was needed, particularly on the issues affecting the nearly 1 billion people on the African continent, he said.

Not all delegations agreed that the July draft was the best basis for the present negotiations. The representative of the Russian Federation said it was hardly an effective instrument in addressing the global arms trade. For example, he said, it needed qualitative work in the area of weapons being diverted from the licit to the illicit trade. He intended to submit proposals that would strengthen the treaty and its legal language to avoid dual and triple interpretations.

At the outset of the meeting, Mr. Woolcott stated that the Conference’s seating arrangements would allow for two non-Member observer States, the Holy See and Palestine, to speak among Member States in alphabetical order.

Making a brief statement following that announcement, the representative of the Permanent Observer Mission of the Holy See stressed that it would continue to advocate for future conferences to be open to all States. The representative of the Permanent Observer Mission of the State of Palestine underscored that the present organizational understanding should not set a precedent for future meetings. “We are sacrificing for the good of the collective,” he said.

In other business today, the Conference elected, by acclamation, 11 countries to fill the posts of Vice-Chairs: Japan, Pakistan and the Republic of Korea from the Group of Asia-Pacific States; Azerbaijan, Estonia and Romania from the Group of Eastern European States; Argentina, Belize and Mexico from the Group of Latin American and Caribbean States; and the Netherlands and Switzerland from the Group of Western European and Other States.

Also today, Daniel Prins, Chief of the Conventional Weapons Branch of the Office of Disarmament Affairs, was elected Secretary-General of the Conference.

The Conference also appointed members of its Credentials Committee, namely: Angola, China, Peru, Russian Federation, Seychelles, Sweden, Thailand, Trinidad and Tobago and the United States.

Also speaking during the general exchange of views were ministers or high-level officials from the following countries: Finland, Costa Rica, Gabon, Denmark, the Dominican Republic, the United States, Indonesia, Brazil, Czech Republic, Iraq, China, Rwanda, Burundi and Djibouti.

The representatives of Trinidad and Tobago (on behalf of Caribbean Community), Mexico (on behalf of 108 Member States) and Papua New Guinea (on behalf of the Pacific Island States and Timor-Leste) also spoke.

The representatives of Peru (on behalf of the Bahamas, Belize, Chile, Colombia, El Salvador, Guatemala, Jamaica, Peru, Trinidad and Tobago and Uruguay), Kazakhstan, Yemen, Syria, Japan, Iran, India, Cambodia, Germany, Viet Nam, New Zealand, Lebanon, Ethiopia, Bangladesh, Mozambique, Zambia, Belarus, Paraguay, Israel, Democratic People’s Republic of Korea, Malaysia, Algeria, the United Republic of Tanzania, Tunisia, Switzerland, Mali, Sudan, Ghana, Turkey and the Republic of Korea also participated.

Background

The Final United Nations Conference on the Arms Trade Treaty opened its two-week session (18-28 March) this morning at Headquarters in New York, with the intention to build on the work of the July 2012 Conference. The session has been designated as “final” to reflect the overwhelming commitment to conclude the

arms trade treaty process and reach an agreement and produce a balanced, robust and effective arms trade treaty. For more information, please see Press Release [DC/3419](#) of 15 March.

Introductory Statements

Opening the session, PETER WOOLCOTT, Conference President, said that it had been six years since the General Assembly had adopted the first resolution on the arms trade treaty — six years since the United Nations had collectively recognized that the absence of common international standards governing the conventional arms trade was a contributing factor to conflict, displacement, crime and terrorism.

With that in mind, he said the last six years “have been productive”, and the United Nations Conference on the Arms Trade Treaty last July had “come close” to meeting the goal, but he shared the broad disappointment that it had not been possible to conclude the treaty. However, he stressed, “I believe that disappointment has now given way to determination”.

“We are not starting with a blank sheet,” he went on, citing the draft treaty text that was already before the Conference. “At the same time, I am under no illusion about the challenges ahead — the expectations are high and our time is limited.” He asked for the focus and discipline of all participants, and for them to look for solutions that could bridge the remaining differences.

BAN KI-MOON, United Nations Secretary-General, said that “after a very long journey, our final destination is in sight — a robust arms trade treaty”. Agreement was a long time coming, he added, noting that the trade in conventional arms touched on many complex matters of commerce, national security, human rights and humanitarian law and policy. “This is no doubt a difficult issue,” however, the absence of the rule of law in the conventional arms trade “defies explanation”. There were international standards regulating everything from T-shirts to toys to tomatoes. There were regulations for furniture, meaning that “there are common standards for the global trade in armchairs, but not for the global trade in arms,” and families and communities around the world were paying a heavy price.

He said that poorly regulated international arms deals directly impacted every dimension of the United Nations work. They undermined sustainable development, fostered conflict and undercut the Organization’s peacekeeping, peacebuilding and humanitarian efforts. They led to massive human rights violations and threatened gender empowerment. Armed violence killed more than half a million people each year, including 66,000 women and girls, and non-State groups were adding to their arsenals. All those tragedies raised the same questions: where were those weapons produced? Were they properly licensed for export or re-transfer? What standards were used to authorize such transfers? And, perhaps the biggest question of all, he said, was “what are we going to do about it?”

“You have to come together to do something about it,” he said. “The arms trade treaty will put warlords, pirates, human rights abusers, organized criminals, terrorists and gun runners on notice.” But the merits of the Treaty would go even further to strengthen the rule of law by contributing to the development of an emerging network of international norms against trafficking, misuse, and the illicit proliferation of weapons and ammunition.

Last July’s Conference in New York had come close to reaching an agreement on a draft treaty text, he said, adding: “We must now build on this work and conclude our historic journey over the next nine days.”

“Now is the time to overcome past setbacks and deliver,” he stressed.

General Exchange of Views

ERKKI TUOMIOJA, Minister of Foreign Affairs of Finland, said that the draft presently before the Conference would have been acceptable to Finland as a compromise last July. Nevertheless, there was room for improvement towards a treaty with the highest possible international standards that could add value to the present global arms trade — a treaty that the majority of countries could accept and implement. Among the improvements that could be made, he highlighted the need for “as comprehensive a scope for the treaty as possible, including ammunition”.

Ammunition, he continued, was one of the core issues of the arms trade treaty and should be treated as such. The present formula seemed inadequate and should be strengthened. Important provisions on human rights and international law should form clear criteria on how to assess transfers and denials of transfers, the latter decision in cases of substantial risk. In addition, provisions on issues such as diversion of weapons to illegal markets or which would fuel armed violence, including gender-based violence, should be bolstered.

It was important that the treaty be in line with other international and contractual obligations, he said, adding that “we have to avoid creating loopholes that could hamper effective implementation of the treaty”. One important goal of the treaty was to bring more transparency to the global arms trade, which could be achieved with mandatory reporting and by making the reports public. The treaty should also become universal. Technical and financial assistance would assist countries that might struggle with the ratification and implementation. In

closing, he appealed to all delegations to “be prepared to make compromises and find the political will to agree on the arms trade treaty”.

“We owe it to ourselves and to the victims of armed conflicts and human rights violations suffering from the unregulated arms trade,” he stressed.

ENRIQUE CASTILLO, Minister of Foreign Affairs of Costa Rica, said that as one of the countries that had launched the arms trade treaty process seven years ago, Costa Rica believed that it had a responsibility to protect its people from the terrible effects generated by the irresponsible and illicit transfer of conventional arms. The July document reflected the agreement among the majority of States that certain arms transfers must not be authorized and that the protection of human rights took priority over the interests of the arms industry. He applauded the inclusion of small arms and light weapons in the treaty’s scope.

He supported the establishment of legally binding criteria that prohibited States from authorizing arms transfers that could facilitate, contribute to, or exacerbate human rights or international humanitarian law violations. He reaffirmed the importance of transparency and State reporting on their transfers. Furthermore, he called for the inclusion of ammunition, parts and components in the instrument’s scope. It was important to clarify the provisions regarding national assessments so as to prohibit transfers where there was a substantial risk that the arms would be diverted to the illicit market or used to facilitate breaches of human rights or international humanitarian law. The “moment has arrived” to adopt the arms trade treaty without further delay, he urged.

JEAN-FRANÇOIS NDONGOU, Minister of the Interior of Gabon, associating with the Non-Aligned Movement, welcomed the convening of the Final Conference in order to move forward with an arms trade treaty and past the stalemate of July 2012. Noting Gabon’s contributions to the discussion regionally and internationally, he expressed particular concerns about the consequences of the trafficking in small and light weapons. Gabon’s President had expressed those concerns while the country had held a seat on the Security Council.

He described the final conference as “pivotal moment” to conclude the negotiations on a robust, balanced treaty. He stressed the importance of binding norms, well-defined parameters, cooperation and collaboration. On the treaty’s scope, his delegation supported the inclusion of small arms based on security and verification. The treaty must address export, import and transit, among others, in order to prevent arms from falling into the wrong hands. He also highlighted the reporting responsibility of each State. An arms trade treaty would address cross-cutting threats, such as terrorism, piracy and the use of child soldiers.

VILLY SØVNDAL, Minister for Foreign Affairs of Denmark, said his country had been a committed supporter of an arms trade treaty. National positions would have to be aligned, opponents’ arguments accepted and concessions made. His delegation stood ready to work with that in mind in order to seek common ground and to make the necessary compromise to get all, particularly the major arms exporters, on board. “The task is simply too important not to,” he said.

He said the treaty was about the victims of the armed violence and conflict that followed from the illicit and unregulated arms trade. The centre of attention should be their rights and plight. The golden rule with robust criteria, which ensured respect for human rights and international humanitarian law, must be maintained. Criteria about risk of corruption, diversion to unauthorized end-use and gender-based violence were equally important.

While implementation would be a sovereign national responsibility, the treaty should function as an interactive framework for developing common norms and principles for authorizing arms transfers, he went on. That process should involve all participating States as well as civil society and the general public. National control lists and regular reports on authorizations or actual exports should be shared among the States and indeed made public.

Agreeing and signing such an important treaty was only “half of our job”, he said. Afterwards, States must introduce national legislation and establish an efficient arms trade control mechanism, and sanctions and penalties for violations must be introduced. Here, international cooperation and assistance would be important. Denmark had allotted \$1.6 million to assist developing countries with administrative capacity-building to meet their treaty-based obligations. Member States had worked on the instrument for almost six years now. The groundwork had certainly been laid. Time was now of the essence; this was the final conference. “Indeed failure is not an option,” he said. “Let us finish the job.”

RICARDO L. ROSA CHUPANY, Minister of the Interior and Police of the Dominican Republic, said that an internationally binding treaty would establish new parameters to regulate the trade of weapons and decrease weapon-related crimes. It would also serve to strengthen international institutions working to eradicate the illicit arms transfers, which affected the most vulnerable populations, including women and children. On a national level, the Dominican Republic had experienced an increase in lack of security and a rise in crime in recent years, and had adopted temporary measures that would strictly monitor the import of weapons. That included marking weapons, fingerprinting gun owners, and tracking the manufacturing of parts and components, with an emphasis on the manufacturer. In addition, various national organizations were working to identify deficiencies in the

Government that led to such concerns. He pledged full support to a legally binding document, which would contribute to regulating the arms trade to the benefit of the global community.

MANSOUR AYYAD SH A ALOTAIBI (Kuwait), speaking on behalf of the Arab Group of States, said that efforts should focus not only on the treaty's preparation, but also on reaching "tangible goals free of ambiguities and loop holes". Standards should be avoided that lacked objectivity and gave ample room for discrepancies, misinterpretations and political manipulation, as that might contradict the potential instrument's declared goal. Indeed, the Group would not accept any legal provisions that did not guarantee States the right to defend themselves or protect their sovereignty and territorial integrity, or allow the treaty to be used as a pretext to interfere in the internal affairs of other States.

He also reaffirmed the importance of the universal nature of the treaty, and stressed that the biggest arms producers, exporters and importers should be part of it. The 26 July 2012 text did not receive consensus, as it had contained "many easy-to-manipulate loopholes" and lacked the criteria that would guarantee a balanced and universally accepted treaty. In that vein, negotiations should pay attention to the needs and expectations of all States in a balanced manner. Efforts also must not overlook the higher priority of the disarmament of nuclear and other weapons of mass destruction.

Continuing, he said that the arms trade treaty must comply fully with the purposes and principles of the United Nations Charter without any ambiguity, including the respect for sovereignty and territorial integrity and the rights of persons under occupation. He expressed the Group's strong dissatisfaction at the "intransigence" of some parties that continued to exclude the State of Palestine's full participation in the Conference; those attempts to manipulate that Observer State's new legal status contravened the Charter. The arrangement reached on participation should be seen as an exception only, and not as a precedent. He again urged the adoption of a "balanced treaty" without loopholes that would leave it open to political selectivity, double standards and manipulations.

U. JOY OGWU (Nigeria), speaking on behalf of the African Group, reaffirmed her commitment to the goal of establishing common standards on the import, export and transfer of weapons. African Member States had hosted and participated in various regional conferences aimed at providing delegations with a comprehensive understanding of the human suffering, such as displacement and loss of life, caused by illicit weapons transfers. She called for an arms trade treaty to address the responsibility of all parties — including major exporters — in a fair and equitable way. The text should also take into account the right of sovereign States to self-defence, and it should ensure that weapons did not fall into the hands of terrorist groups.

She said the Group was convinced that adequate international support was crucial for the treaty's effectiveness and universality. Also vital was strengthening capacity-building through international cooperation and ensuring that the treaty did not deny developing countries their right to technology. Highest cooperation would be evident in the achievement of a fair, balanced, equitable and non-discriminatory instrument. She called for a realistic and flexible approach to take advantage of the next few days, particularly on the issues affecting the nearly 1 billion people on the African continent.

ALEXIS AQUINO (Peru) speaking on behalf of the Bahamas, Belize, Chile, Colombia, El Salvador, Guatemala, Jamaica, Peru, Trinidad and Tobago and Uruguay, said that although the draft treaty constituted a good basis, it needed to be improved in order to be acceptable and enforceable. First, it should be legally binding and must be drafted as a treaty and not as a political declaration, which required a legal revision of the 26 July text. Furthermore, he called for all provisions regarding diversion of weapons to be strengthened and operationalized. Such provisions should not be optional as the treaty's balance depended on it. In addition, he strongly believed that munitions, ammunition, military explosives, parts and components, and technology must be included in the treaty's scope. Additionally, all types of transfers that implied international movements of arms must be covered, including gifts and loans.

He said that conditional or optional language such as "may" and "as appropriate" should be replaced by clear operative language throughout the treaty text, and particularly, throughout the implementation section. An arms trade treaty must reflect an equitable balance of the rights and obligations of all States parties, including exporters and importers. Transparency and international assistance were also key components in ensuring effective implementation. Concerning the final provisions, he believed that the treaty must not allow reservations. The primary goal of the Meetings of States Parties should be to review implementation, so as to adapt it to technological innovations in the arms industry. For that reason, it was crucial to allow for the adoption of amendments.

PAUL VAN DEN IJSSEL (Netherlands), also speaking on behalf of Denmark, Germany, Mexico and the United Kingdom, drew attention to a statement by the group in which it declared its full support for a robust arms trade treaty. That statement said that such a treaty would help prevent weapons from ending up in the hands of child soldiers and would counter the illicit arms trade by requiring each country to put in place a strong set of national transfer controls. Those would require arms exports to be assessed on the basis of a range of criteria, including respect for international humanitarian law and human rights. The treaty would also help to prevent the diversion of conventional arms towards the illicit market and it would introduce greater transparency into the arms trade, helping to build global confidence while giving the unscrupulous "nowhere to hide".

He said that the intention of the treaty was not to obstruct the legitimate arms trade, but to protect it by bringing rigour and greater accountability while at the same time fully recognizing each State's right to self-defence. Neither would the treaty set rules for domestic arms regulation or laws on possession; that was categorically a matter for national authorities to determine. "This is a historic opportunity to agree a treaty that will save lives and make the world a safer place — history will not forgive those who seek to prevent it," he stressed, concluding that "now is the time for brave diplomacy".

JEAN-HUGUES SIMON-MICHEL, Permanent Representative of France to the Conference on Disarmament, speaking also on behalf of China, the Russian Federation, the United Kingdom, and the United States, said that an arms trade treaty would constitute a major step in reinforcing international peace and security. The objective was to achieve a simple, short, and easy text that set the highest possible common standards by which States would regulate the international transfers of conventional arms.

However, he stressed, an effective such treaty should not hinder the legitimate arms trade or the legitimate right to self-defence under the United Nations Charter. It should help curb the illicit trafficking in conventional weapons that undermined peace, security and prosperity, and create a shared responsibility in the international transfer of conventional arms between all States, be they exporters, importers, transit or transshipment countries.

The core requirement of an arms trade treaty was for its States parties to establish and maintain effective national systems of control over the international transfers. The authorization or denial of any such transfer would remain the sole responsibility and right of any sovereign State. In deciding whether to authorize a transfer, each State party would examine, inter alia, specific criteria. He agreed with the approach of the 26 July text that the scope should be as broad as could be implemented, with each State establishing and maintaining a national control list as defined on a national basis.

EDEN CHARLES (Trinidad and Tobago), speaking on behalf of the Caribbean Community (CARICOM), said that although the July text provided a useful basis on which to build deliberations, he had no illusions whatsoever that it was an "imperfect document". In crafting treaty language, it was necessary to strike the essential balance between the interests of all States concerned, particularly those disproportionately affected by the diversion of weapons. That phenomenon had caused tremendous socioeconomic problems in many regions, among which CARICOM stood out as a prominent example, he said.

He called for strong language to address human rights and humanitarian issues. Furthermore, he placed emphasis on international cooperation, assistance mechanisms, transparency, verification, and an independent secretariat. He also advocated for effective provisions on dispute resolution, which must include arbitration and adjudication. In the spirit of concluding an arms trade treaty, he sought dialogue with the few that were not as convinced of the utility of such an important instrument treaty and he remained ready to engage in compromise and flexibility. Although he supported the consensus rule to adopting decisions, he would not back any attempt to use that as a means of derailing the process.

THOMAS COUNTRYMAN, Bureau of International Security and Non-proliferation of the United States, drew the attention of delegates to the 15 March statement made by his country's Secretary of State, John Kerry, which reaffirmed his delegation's commitment to seek a strong arms trade treaty. The United States was steadfast in its commitment to achieve a strong and effective treaty, which helped to address the adverse effects of the international arms trade on global peace and stability. An effective instrument recognizing that each nation must tailor and enforce its own national export and import control mechanisms could generate the participation of a broad majority of States, help stem the illicit flow of conventional arms across international borders, and have important humanitarian benefits.

He said that his country could only be party to an arms trade treaty that addressed international transfers of conventional arms solely and did not impose any new requirements on the United States domestic trade in firearms or on United States exporters. His delegation would not support any treaty that would be inconsistent with United States law and the rights of American citizens under its Constitution, including the Second Amendment. While the international arms trade affected every country, more than 100 States today did not have a system for control of international conventional arms transfers.

The international conventional arms trade was, and would continue to be, a legitimate commercial activity, he said, adding that responsible nations should have in place control systems that would help reduce the risk that a conventional arms transfer would be used to carry out the world's worst crimes, including those involving terrorism, and serious human rights violations.

MUHAMMAD NAJIB, a member of the Parliament of Indonesia, said that in the Principles section, the text should clearly spell out the "right of States to territorial integrity". As it stood now, the text was not balanced and did not reflect the reality that, in the case of intra-State conflict, gave States the right and obligation to protect civilians as well as maintain their territorial integrity. The section on principles should become article 1.

Otherwise it might be perceived that its significance was being diluted and that principles were perhaps not on par with goals and objectives.

The old article 5, concerning implementation, article 19, on reservations, and article 24, regarding the treaty's relationship with other instruments, should all include the words "the principles". His delegation noted that the scope of the arms trade treaty was covered, not only in the "old" article 2, but also in the "old" article 6, on export, particularly paragraphs 4 and 5, which included ammunitions and components. For clarity and to garner the widest possible support from countries, the scope of the treaty should be "7+1", as reflected in article 2. His delegation, therefore, proposed deleting paragraphs 4 and 5 of article 6.

The language in "old" article 3 paragraph 1, on prohibited transfers in connection with Security Council measures, should be crafted carefully so that the treaty did not create new interpretations or additional obligations beyond article 25 of the United Nations Charter. His delegation suggested amending the paragraph in question, by either using the language from article 25 of the Charter in its entirety or by inserting wording which reflected that the implementation of that paragraph should be in accordance with domestic legislation of the State party.

ANTONIO GUERREIRO (Brazil) acknowledged that there was room for improvement in last July's text. For example, there should be a clear definition of transfers, including gifts and loans. Ammunition must be included in the treaty's scope. On the issue of prohibited transfers and national assessments, there should be provisions requiring that States assess any transfers to non-State actors. Additionally, the current provisions on preventing diversion to the illicit market should be strengthened. Finally, 10 years of recordkeeping on weapons was insufficient; Brazil kept its records indefinitely and felt that others should do so as well.

PAVEL FISCHER, Political Director, Security and Multilateral Issues Section of the Ministry of Foreign Affairs of the Czech Republic, said his delegation had supported the idea of an arms trade treaty from the very beginning. Noting that the July 2012 negotiation had fallen very short of reaching historical consensus on the treaty text, he saw "unprecedented determination" of countries from different regions of the world to finalize the process. "We have gathered here not to miss this unique opportunity to conclude a globally acceptable arms trade treaty," he said. Indeed, his delegation considered the instrument as a cornerstone in the development of international norms in the global arms trade.

He said that that 26 July draft, which had been the result of nine days of negotiations, consisted of most of the principles his Government wished to see in the arms trade treaty text. His delegation was committed to a transparent and accountable level playing field for all actors involved in global arms trade. The treaty had the potential to become an interactive framework involving not only all participating States, but also civil society. Respect for human rights and international humanitarian law should be embodied in the text as its key principles. The Czech Republic, as a member State of the European Union, emphasized the crucial role that regional integration organizations had played in the creation of arms trade control mechanisms at the regional level.

Mr. ABDUL KAREEM (Iraq) hoped that the Conference would succeed in drafting a binding and balanced arms trade treaty, which was the result of frank and transparent negotiations. The delegation reiterated its support to the treaty's objectives, and stressed that there was also a need during negotiations to take into account the Charter's principles. Further, there should be no infringement on the right of States to self-defence, including to acquire arms to combat terrorism and ensure their domestic security.

He said that weapons should not be transferred in cases where they might damage the safety and security of States, or in cases of genocide or war crimes. The arms trade treaty should promote international assistance to States that needed help in implementing their obligations. There was also a need to provide assistance to States that had fallen victim to conflicts, he added.

BYRGANYM AITIMOVA (Kazakhstan) said that the treaty should establish the highest common global standards for the import, export, transfer, production and brokering of conventional arms, with optimal transparency and accountability. A legally binding uniform agreement, therefore, would seek to harmonize existing diverse national laws on the trade in armaments and ammunition, which presently obscured transparency and trust. Kazakhstan recognized the sovereignty of States and their right to self-defence. At the same time, there was a need to clearly demarcate regulations for all kinds of conventional arms transfers, such as of military vehicles and aircraft, artillery systems, military aircraft, and others.

Weapons without ammunition were useless, she said, and an arms trade treaty that excluded ammunition would constitute a failure to respect and respond to international humanitarian law and basic concerns for the humanitarian impact. Special consideration should be given to avert tragedies befalling women, children and youth. Implementation of and compliance with an arms trade treaty were critical and could be guaranteed only with sound national legislation, mechanisms, storage and retrieval of comprehensive data on regional and national levels. She called for the resolution of the issue of defining penalties and sanctions against States that did not fulfil the treaty's obligations.

JAMAL ABDULLAH AL-SALLAL (Yemen), aligning himself with the Arab Group, said that the Conference was taking place in complex circumstances given the recent rise of armed conflict in his region, which had a major impact on socioeconomic and political instability. Yemen had been aware early on of the importance of arms regulation and had adopted national efforts to regulate their trade. On an international level, the country

played an important role in all meetings seeking to regulate such matters. He hoped that the Conference would contribute to reducing violence and ensuring a safer global community.

The Conference, he said, signalled a willingness by the international community to take on the challenge. It was important that negotiations be transparent and candid, and address all aspects even-handedly. That meant including both exporting and importing countries. At the same time, the treaty must not restrict the acquisition of technology and must respect the Charter. It should also not detract from nuclear disarmament. In that regard, he called for coordinated regional and national efforts to establish a nuclear-weapon-free zone in the Middle East. Lastly, he expressed hope for a universally accepted treaty that did not infringe on territorial integrity or the right to self-defence.

BASHAR JA'AFARI ([Syria](#)) said that any such treaty must reflect the right of all States to ensure their security and territorial integrity, and to self-defence and self-determination. The treaty should clearly ban the provision of arms by some States to non-State entities for any reason whatsoever. It needed to strike a balance between the responsibilities of the arms producers and importer. As the text now stood, the importing countries, in particular, would be the subject of the treaty. "The weak will be weakened still further, while the powerful States will see their rights strengthened," he said. For decades, Israel had counted on "the diplomacy of arms" as it fostered international terrorism, drug trafficking and separatist movements throughout the world, he added.

He said there were a great number of subjects to be dealt with in a transparent manner during negotiations, including the rights of the importer States; the situation of military alliances; and the question of guarantees to ensure that exporter countries abided by the treaty. It was critical to stipulate that it was forbidden to provide arms to terrorist non-State entities, as was currently being done in Syria. Indeed, the terrorist and subversive activities plaguing his country were the results of decisions taken by some Western and Arab agents. In that vein, Syria was deeply concerned by statements designed to arm those entities, he said, urging the Conference's participants to "recall what happened in New York, Madrid, Paris and London, and in many other cities".

MARI AMANO, Permanent Representative of [Japan](#) to the Conference on Disarmament, reiterated his Government's firm commitment towards realizing a strong and effective arms trade treaty. While it was unfortunate that an agreement had not been reached in July, the meeting produced the text that would serve as the basis for negotiations in the Final Conference. Japan focused on two areas — improving the text by adding legal clarity and precision and by improving the substance of the treaty so that that critical legal instrument would not only be strong and effective, but also enjoy widest possible support among States. Based on the President's intention to discuss textual suggestions from the outset, Japan wished to move directly into the discussion on ways to improve the text.

He highlighted five areas of priority for Japan. First, the treaty's scope should include munitions, in addition to the so-called "7+1". The coverage of activities must be comprehensive and include gifts, leases and loans. He also stressed the importance of States to notify its control list for items covered in article 2.1, as that would provide much-needed predictability regarding the export control process. On prohibition and national assessment, the phrase "for the purpose of" in article 3.3, which had been problematic for many States, should be replaced by a knowledge-based text. The same applied for the phrase "overriding risk" in article 4.5. On implementation, he said that legal clarity would help the relevant national authorities to enforce the treaty. In that regard, a clear description on jurisdiction was indispensable.

An arms trade treaty, he said, could play an important role in making global arms trade transparent and accountable. Thus, mandatory reporting by the States needed to be made public. International cooperation and final provisions were also key areas to ensure the treaty was effective and implementable.

ROBERTO DONDISCH ([Mexico](#)), speaking on behalf of a group of 108 countries and aligning himself with the statement made by Peru, said he represented nations of different regions that shared a common goal, who were here to finalize the work that was not concluded last July. He recognized that the unregulated trade of conventional arms and their diversion to the illicit market were contributory factors to armed conflict, the displacement of people, transnational organized crime and terrorism, and thereby undermined peace, reconciliation, safety, security, stability and sustainable social and economic development.

"The overwhelming majority of Member States agree with us on the necessity and the urgency of adopting a strong arms trade treaty," he said, adding, "our voice must be heard". It was important to continue with the July text and commit to its strengthening. The text needed considerable improvement in order to reach the objective with clear legal language. There was also a need to address remaining loopholes and to better reflect existing international legal norms, standards and principles. The treaty's scope — including ammunition, preventing diversion, criteria for assessment, and implementation, were among the areas that needed to be strengthened. A weak arms trade treaty, which could serve to legitimize the irresponsible and illegal arms trade, must be avoided.

SHAHROUK SHAKERIAN ([Iran](#)) said that the potential treaty must be based on a solid foundation that would lead to more responsible behaviour by all countries. It was necessary to arrive at a common understanding about achievable goals. Establishing such common standards was within reach provided that

States parties set aside interpretations that could lead to politicization. Furthermore, “setting a wide scope for the treaty is a disservice to the lofty goals of our efforts”. The treaty envisaged an implementation mechanism that was largely left to States parties; recourse to such a mechanism could lead to results far from the treaty’s intended goals. He, therefore, called for a treaty with a limited and practical scope, based on objective and non-politicized negotiations, and which was realistic and implementable.

SUJATA MEHTA, Permanent Representative of [India](#) to the Conference on Disarmament, said that although her delegation had agreed to work on the basis of the 26 July 2012 text, it, like other States, felt that it was not a basis for a decision on a treaty. “There is still considerable distance to cover before we reach that goal,” she said. Addressing several “critical deficiencies” in the draft, she said that the treaty should make a real impact on illicit trafficking in conventional arms and their illicit use, especially by terrorists and other unauthorized and unlawful non-State actors. Without such provisions, the treaty would in fact lower the bar on the obligations of all States not to support terrorism or terrorist acts.

While the arms trade treaty should ensure a balance of obligations between exporting and importing States, the current draft tended to tilt the balance further away from importing countries, she said. “The treaty should not be an instrument in the hands of exporting States to take unilateral *force majeure* measures against importing States parties,” she said. To correct that imbalance, the rights of importing States should be elaborated and strengthened. Any other outcome would not only be unacceptable to a large number of countries, but also underline the irony of a multilateral process involving all United Nations member States if, in the end, it benefitted only a few.

KOSAL SEA ([Cambodia](#)) said that the illicit arms trade hampered global peace and stability. He reaffirmed his full support for a treaty that would create the obligation to implement common international standards and norms for the regulation of imports, exports and transfers of weapons and munitions. He called for the humanitarian factor to be considered during the Conference, as vulnerable populations such as women and children suffered most, owing to the absence of international standards and regulations. In addition, he called for a clear provision in the treaty that would outline support for States that wanted to implement treaty measures but lacked the necessary resources to do so.

JORG RANAU ([Germany](#)), aligning himself with the statement made by Mexico, said that although progress had been made, countries continued to hold differing and sometimes controversial views on the scope of the treaty, the criteria for issuing export licenses and the modalities of implementation by the future States parties. Regarding the text, he sought substantive improvements to paragraph 3 of article 3, and paragraphs 1, 5, and 6 of article 4. Germany believed it was imperative to include ammunition, parts and components as well as technology in the scope. An arms trade treaty that failed to address the inherent risk of diversion in transfers, including of ammunition, fell short of “our ambition”. All kinds of transfers should be covered, and that should be clarified in article 2.

To be effective, the treaty must impose clear obligations without leaving unjustified loopholes, he said. The current paragraph 2 of article 5 urgently needed to be amended to give clear priority to sound and systematic export controls. In addition, the treaty should not be superseded by existing bilateral agreements, in particular, defence cooperation agreements. The treaty would be fully operative only if there was a true transparent reporting provision. More should be done about end-use assurances, to effectively prevent diversion at all stages of a weapon’s life cycle. So far, the treaty mentioned the risk of diversion, but remained silent about the well-established practical measures to prevent it, including by proper end-use controls. There seemed to be consensus from all sides of the spectrum that that issue needed further elaboration.

LE HOAI TRUNG ([Viet Nam](#)) shared the concerns expressed by many delegations of the burden posed by the illicit conventional weapons trade, as well as the view that it was interlinked with several other issues, among them, the maintenance of international peace and security, non-use of force, and the legitimate right of States to self-defence. As in all international conferences, it was natural to discuss ways to find the right balance among those issues, in order to arrive at a strong and effective mechanism. The text should be balanced and non-discriminatory, and must be negotiated in a transparent, open manner, and be adopted by consensus. It should ensure the legitimate right of States to manufacture and trade arms for self defence, and it must establish common standards that were acceptable to all.

Continuing, he said that the scope must be reasonable and proper to ensure consistency in the treaty’s implementation. In that regard, Viet Nam favoured the “7+1” approach to the scope — seven categories plus small arms and light weapons. It also believed that the treaty should provide general guidelines for its implementation, rather than specific detailed regulations, and take into account the differing capacities of States.

DELL HIGGIE ([New Zealand](#)) said that the arms trade treaty must not simply “enshrine the status quo”, but contain strong, uniform, and comprehensive standards in order to prevent irresponsible arms transfers and to forestall diversion to the illicit trade. Considerable progress had been made during the negotiations in July, however, much work remained to be done if the treaty was to contribute meaningfully to global as well as regional peace and security.

Specifically, she said that the treaty must cover the full range of conventional weapons that were

transferred internationally, including small arms and light weapons, as well as the ammunition and the parts and components that serviced them. In addition, the full range of transactions whereby arms could change hands must also be covered, and the criteria against which those were assessed must be strong enough to achieve humanitarian goals and objectives.

“Our work here was not an abstract exercise,” she said, adding that the unregulated arms trade had a very real human cost with catastrophic consequences in communities around the world in Africa, South America, the Caribbean and, indeed, in her own region, the Pacific.

JOANNE ADAMSON ([United Kingdom](#)) said that the human cost of the poorly regulated arms trade was still too high. “We have a duty to prevent conflict and protect innocent civilians by placing human rights and international humanitarian law at the forefront of globally-agreed standards for the international arms trade,” she said. Establishing a baseline for robust controls would ensure that countries could defend their citizens without undermining human development. Last July’s Conference was just one step on the path to an arms trade treaty, and she looked forward to addressing loopholes and gaps over the next two weeks.

She said the United Kingdom would not sign a weak treaty. Nor would it allow the achievements to unravel. “A perfect piece of paper will not save lives,” she said. This was an opportunity to craft a strong text that could be implemented by the majority of States, including the major arms exporters. The treaty should cover all conventional arms, their munitions, and parts and components, and it should be “future-proofed” against changes in technology. Articles 3 and 4 of the draft should ensure that arms were not exported when there was a clear risk of serious human rights and international humanitarian law violations. Introducing mandatory public reporting would improve the transparency of the arms trade and tackle the weapons’ diversion to the illicit market. In addition, the treaty should play its part in addressing violence against women and girls, which was one of the most systemic and widespread human rights violations in the world.

NAWAF SALAM ([Lebanon](#)) welcomed the open way the debate was being conducted in the Final Conference and placed trust in the leadership of the session’s President. His delegation fully supported the statement made on behalf of the Arab Group. Lebanon, as a small country, had paid a heavy price and suffered in the period from 1974 to 2012 from the illicit proliferation of weapons. In that regard, achieving an arms trade treaty was important.

TEKEDA ALEMU ([Ethiopia](#)), aligning himself with the Africa Group, said that the continent had suffered from the illicit circulation of small arms, which had direct and indirect implications on society, democratization and countering transnational crime and terrorism. He called on all nations to forge a common front to fight and overcome that challenge. Addressing the illicit trafficking of small arms, including ammunition, should be a main goal of the Conference.

He emphasized, however, that it was important not to impede the sovereign rights of States in arms sales and trade. That was why the treaty’s focus should be on the illicit market, particularly on preventing acquisition of the weapons by terrorists. Furthermore, he called for clearer treaty language which would avoid ambiguities and loopholes, and added that adequate international support was critical for the document’s international legitimacy. A strong and robust arms trade treaty would contribute to the reduction of weapons traded in the illicit market and to international peace and security.

MIKHAIL ULYANOV ([Russian Federation](#)) said that the July draft was hardly an effective instrument in addressing the global arms trade. The document needed qualitative work in the area of weapons being diverted from the licit to the illicit trade, which, as the most important aspect, should be addressed further in the treaty. He intended to submit proposals that would strengthen the treaty and its legal language to avoid dual and triple interpretations.

In terms of ensuring effective negotiations, lessons should be learned from the July conference, he said. To be successful, the negotiations must be transparent and inclusive, providing each future State party with the “room to stand on its own positions”. The prerequisite for success was the willingness of delegates to listen to one another and take into account each other’s beliefs. Only that would ensure progress, he said, reassuring delegations of his country’s pledge to work towards a treaty that would reflect international consensus.

ABULKALAM ABDUL MOMEN ([Bangladesh](#)) said that the treaty’s scope should be as comprehensive as practical, including ammunition, parts and components. However, for the sake of consensus, Bangladesh would be willing to support the position of other States on that matter. In addition, several of the articles of the July text dealing with criteria should be revisited to ensure that they were dealt with as fairly and objectively as possible. An arms trade treaty would create responsibilities and obligations. However, the July text did not lay out a clear path to fulfilling those responsibilities. There were also no specific commitments by developed countries concerning their responsibility to assist developing countries with implementation. Finally, the gains made last July should be maintained and built upon, while points of contention should be ironed out. Bangladesh was ready to be flexible to ensure the adoption of a strong, robust treaty.

ANTÓNIO GUMENDE ([Mozambique](#)), aligning with the African Group, said that the ongoing process was long overdue, as an arms trade treaty reflected one of the greatest imperatives of humankind. Mozambique

reiterated its support to the draft common position of the African Group of March 2013. The poorly regulated trade in arms, especially small arms and light weapons, fuelled conflicts by arming those who perpetrated violence against civilians, especially in Africa, which was frequently exploited by transnational organized crime. Africa suffered from the blight before, and thus, it was able to share on the global stage how its countries were combating the illicit arms trade. As for the treaty itself, Mozambique felt that it should cover all forms of those weapons and their components, including ammunition and dual-use items. It should also cover the broadest possible range of transactions, including temporary transfers, gifts, and loans.

ENCYLA SINJELA (Zambia) said the documentation before the Final Conference was a good basis for final discussion. Zambia remained a keen supporter of creating a robust arms trade treaty, and he hoped the Conference would produce a consensus text. He was pleased that the process was building on past progress, but he regretted the absence of ammunition — the bedrock of various conflicts, especially in Africa — in the “scope” section of the draft treaty. He was concerned about the way the issue had been drafted in paragraph 4 of article 6, and called for that item to be reflected in the scope. Zambia would work with other colleagues to that end.

He said his country was committed to a universal, balanced treaty to regulate the global trade and transfer of conventional arms. Judging by the outcome of the last conference, the present one would likely produce a treaty that would accommodate the various views and aspirations of all States parties. Africa suffered greatly from the effects of the irresponsible, illegal transfer of conventional arms, and he felt it was the responsibility of the Conference to “leave a legacy” of a well-regulated global arms trade treaty.

ALEXANDER PONOMAREV (Belarus) said his delegation would work constructively towards achieving high, unified standards for regulating conventional weapons. He highlighted their uncontrolled spread and cautioned against acquisition of those weapons by non-State actors. The treaty must be comprehensive and clearly defined so that language could not be misinterpreted. Belarus placed great importance on combating illicit trade through strengthening national measures, such as export control. The treaty text must be balanced to address interests of both exporters and importers. It also must be non-discriminatory, he said, cautioning against discriminatory sanctions that might be introduced by individual States.

MARCELO ELISEO SCAPPINI RICCIARDI (Paraguay) said that although the July text was good, it was only a basis on which to build. International peace and security, as well as hundreds of thousands of lives, were at stake. Negotiations had continued for years and yet the United Nations had not been able to create such an international instrument. Now was an opportunity to show tangible proof that the work could be translated into a legally binding treaty regulating the arms trade, including small arms and munitions. All operations, such as import, export, brokering and technology transfers should be included in and regulated by the treaty. He also favoured notification systems, such as advance reports between exporting and importing countries. Lastly, he emphasized the importance of international cooperation and assistance in the implementation of the arms trade treaty.

ERAN YUVAN, Deputy Director, Arms Control Policy Department, the Ministry of Foreign Affairs of Israel, said his country attached great importance to the arms trade treaty, and felt that all delegations should strive to ensure that the negotiations were professional and free of politicization. His delegation sought a global, comprehensive, legally binding and effective instrument that would regulate the lawful worldwide trade in conventional weapons. The treaty, which represented an important step in the international community’s struggle against terrorism, should contain concrete measures to prevent the illegal trade in arms and their illicit diversion. It must set clear standards, norms and operational responsibilities for preventing illegal transfers and advance modes of cooperation and coordination between States to eradicate the illicit trade.

He said it was also imperative for decisions made about arms transfers to remain under the national responsibility and discretion of States. Such important tasks called for a concerted effort to bring on board States where export control systems did not exist or had not been fully developed. In doing so, the treaty should seek to promote higher national standards for arms trade activities and serve as a guide for nations to form — and continuously improve — effective and enforceable export control systems. The treaty should enhance the individual and collective security of States — not detract from it.

At the same time, he said, the right to self-defence must not be compromised. The treaty should recognize the legitimacy of the legal and responsible global conventional weapons trade. Special care must also be taken to ensure the mechanism did not impede national security interests. On reporting, he said the United Nations Register of Conventional Arms was an important confidence-building measure among States, particularly for his region. Reporting provisions which might be included in the future treaty required careful consideration and balance with legitimate national security and confidentiality concerns.

RI TONG IL (Democratic People’s Republic of Korea) regretted that divergent views on the core articles of the future treaty remained, casting a “dark shadow” on prospects for the Conference. Clarifying his position, he said that the text should reflect the need to conclude a treaty on the complete elimination of nuclear weapons. Nuclear-armed States, however, opposed such a treaty, with one State in particular pursuing the modernization of its nuclear weapons and the listing of certain countries as pre-emptive strike targets. Those countries were the subject of “increased nuclear blackmails”, and the policy had led one non-nuclear-weapon State to achieve the

“very proud and powerful status of a nuclear-weapon State” and compelled it to adopt the same nuclear pre-emptive strike policy.

Continuation of the pre-emptive strike policy by the largest nuclear-weapon State was likely to “give birth to more new nuclear-weapon States, and its missile defence system implied its “wild ambition of achieving an absolute nuclear superiority” and threatened a potential nuclear arms race. Nuclear disarmament, therefore, must be considered as part of the preamble of the future arms trade treaty. That treaty should respect the rights to self-defence and to a legitimate arms trade, he said, referencing the Charter’s Article 51. That right should include domestic production, exports, imports, and technology transfer of conventional weapons and should not be restricted to just a few countries.

He stressed that if the future treaty contained “articles of political nature”, which implied obstacles to the full exercise of the right to self-defence and a legitimate arms trade, negotiations would be hampered and the Conference would again be undermined.

SAIFUL AZAM MARTINUS ABDULLAH (Malaysia) said the arms trade treaty process had been given another lifeline and “we need to grasp this opportunity”. States had come close to agreement last July, but the 26 July text was imperfect. To reach a satisfactory outcome, States must refrain from “unravelling” compromises agreed to last year, including on the goals and objectives. Activities such as transit and transshipment were particularly important, especially for countries with high trade volumes. The treaty should not be burdened with linkages to concepts that were immeasurable and broad in nature, or those that were not fully agreed upon.

A strong and robust treaty was possible, he said, but not if States continued to insist on matters extensively discussed last year. For its part, Malaysia, along with the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific, had hosted a regional meeting in February to facilitate dialogue on the arms trade treaty. Senior officials from 20 countries in the region had attended, showing their strong interest in the process. The positions of countries in his region must be fully taken into account. In sum, Malaysia looked forward to a treaty that did justice to the problems stemming from the unregulated trade in conventional arms.

DJAMEL MOKTEFI (Algeria), aligning himself with the Africa Group and the Arab Group, said that the situation in Africa was especially dire when it came to the effects suffered by the illicit arms trade. On his own country’s border, there was illegal trafficking of small arms and light weapons to terrorists. The international community should opt for a clearer treaty that would be easier and quicker to implement. The text should take into account the interests of exporting and importing countries and shed light on the need to curb the access of small arms and light weapons to terrorist groups and criminal organizations. It was essential that the treaty contain provisions devoted solely to such principles as the inalienable right of people under colonial domination. Gifts and donations should also be monitored and certain transfers should be prohibited.

LI YANG, the Deputy Director General of the Arms Control Department of China, said that the July text was a viable basis on which to build. He concurred with the United Kingdom that the international community should not start from scratch. The July text merely needed to be improved and built upon; there was no need to restart negotiations on all relevant issues. Parties should show full flexibility and adopt a practical treaty. Having one was more important than aiming at a perfect text. He urged participants to not waste too much time as time was limited.

ROBERT GUBA AISI (Papua New Guinea), speaking on behalf of the Pacific Island Forum States and Timor-Leste, reiterated the group’s strong call for the inclusion of small arms and light weapons and their ammunition in the treaty. Those weapons had “horrible adverse effects” and posed great challenges to the maintenance of international peace and security, as well to the achievement of internationally agreed development goals. He noted that capacity-building and assistance would be needed by some States in order to institute the necessary national regulatory systems, as well as effective legislative frameworks. To those ends, the Forum supported the establishment of an “implementation support unit”, with the necessary resources. While agreeing to the merits of regionally based reporting, he also noted the importance of individual country reporting as a means of measuring the effectiveness of the treaty. The Forum looked forward to working with like-minded countries towards concluding a strong and effective treaty.

RAMADHAN MWINYI (United Republic of Tanzania), aligning with the African Group, called for a treaty geared towards the entire United Nations membership. Its objective should be to regulate the arms trade “without prejudice to the right of nations for self-defence as enshrined in the United Nations Charter and without impeding the right of nations to live in peace and security, enjoy freedom and pursue development”. The treaty was “not a tool for disarmament” but part of the arms control regime. However, it did not provide a “carte blanche” for the manufacture, stockpiling, deployment and transfer of lethal weapons on the pretext that they were not for trade.

During the cold war, he recalled, firearms were transferred and deployed to promote hegemony under the guise of national interests, while ultimately violating peace and security and obliterating human development in some countries. The treaty would not be “a panacea to the armaments headache”, he warned, but it had great potential in halting the proliferation of weapons. That would require cooperation by manufacturers and buyers, as well as the commitment of financial resources to improve training and equipment that aimed at targeting

violators. A small fund and staff would be useful to assist Member States with implementation.

EL KHANSA ARFAOUI HARBAOUI ([Tunisia](#)), associating with the Arab and African Groups, stressed the importance of putting a binding instrument in place to regulate the import and export of conventional weapons. Any treaty should be objective and non-discriminatory and should not be abused for political intentions. Noting the essential importance of legitimacy and universality of such a treaty, she expressed her delegation's commitment to achieving a treaty aimed at eradicating the illicit trade in weapons and all related material that could be used to violate international humanitarian and human rights law. She described Tunisia's efforts to contribute to the Conference's success, namely, the adoption of a universal and lasting treaty. She said her full statement would be available later on the Conference website.

JIMMY HODARI ([Rwanda](#)), aligning himself with the African Group and the statement made by Mexico on behalf of 108 countries, said he subscribed to an arms trade treaty that would regulate the import, export, and transfer of conventional weapons, including of small arms and light weapons, and curtail the illicit transfer of conventional weapons. It was important that the scope of the treaty also cover ammunition, as firearms were not lethal without it. Rwanda had established a national policy to regulate the import, export, and marking of small arms and ammunition.

He said that those weapons had for far too long caused suffering and death, and fuelled armed conflict. The proposed arms trade treaty would contribute to peace, security, and stability for generations to come and would decrease violence caused by terrorist groups and drug trafficking. It should be a champion of human rights.

ERWIN BOLLINGER ([Switzerland](#)) said his delegation had circulated two working papers in the past 10 days to Member States, as a contribution to the President's draft. Copies of those two working papers would be circulated later today to inform discussion of scope, prohibitions and criteria, scheduled for tomorrow morning. The working papers sought to ensure that proposed transfers of conventional arms were not authorized when there was a substantial risk that they could be used to commit or facilitate serious violations of international humanitarian law or human rights law. They also proposed changes to ensure that the arms trade treaty did not fall short of existing international law. With those changes, the treaty would more effectively reduce the negative humanitarian consequences of the global trade in conventional arms.

RODOLFO BENITEZ VERNON ([Cuba](#)) stressed the difficulty of completing in just nine days a complex treaty on the international arms trade. The title "final" had been assigned to the Conference, indicating that it was the last chance to approve such a treaty; however, that "now or never" scenario was artificial and dangerous. He warned that, under no circumstances, should time limits be used as a pretext to ignore or minimize the position of some delegations. "It should not be the purpose to adopt a treaty at any cost," he stressed. Instead, the treaty should take into account the positions and proposals of all States concerned.

On 28 March, the last day of the Conference, he said Cuba was prepared to support a treaty that effectively responded to the humanitarian concerns related to the unregulated trade in arms, so long as it did not interfere with the country's legitimate self-defence and national interest. For that reason, Cuba would continue to insist that the article on principles was duly integrated into the operative part of the treaty and that the treaty's parameters not be left open to abuse or manipulation for political reasons. It also insisted that weapons transfers to unauthorized non-State actors be prohibited.

Mr. MAÏGA ([Mali](#)) said that "there is no room here for another failure". There could be no doubt that illegal trade in conventional weapons was a major concern to the international community. The Sahel, for example, had become a veritable "open air bazaar" for such weapons. The tragedy experienced by Mali was the best illustration of the need for an international instrument regulating the trade in illicit arms. It was for that reason that his country supported a broad scope and a treaty that ensured respect for human rights and international law. What happened in the Sahel and in Mali in particular should never happen again. Thanks to the Economic Community of West African States (ECOWAS), France and other bilateral and multilateral partners, Mali was back on its feet. After all that had happened, however, the people of the Sahel and the Sahara had their gaze turned towards this Conference as a last opportunity to forge "a humanity of peace and security".

M. ALBERT SHINGIRO, Permanent Secretary of the Ministry of Foreign Affairs of [Burundi](#), aligning himself with the Africa Group and the statement made by Mexico on behalf of the 108 countries, called for the treaty to include small arms and ammunition in accordance with the Nairobi Protocol. "We have worked night and day in order to adopt a legally binding document and we have come to New York to conclude the work we could not last July," he said. This was not the time to undertake new negotiations, but to build upon those already undertaken and to respond to "humanity's call" for a robust and legally binding document.

He said he was convinced that the arms trade treaty would contribute to stabilizing Burundi's Great Lakes region, as well as that of the greater global community. Adopting the treaty would save lives, he said, calling on delegations not to let down all those looking to the United Nations at this moment in time. After the treaty's passage, international cooperation and support would be needed to help with implementation.

GUELLEH IDRIS OMAR, Director of Multilateral Affairs of Djibouti, associating with the African and Arab Group statements, as well as that made on behalf of the 108 countries, said that numerous countries were suffering from the illicit proliferation of arms. According to statistics, 500 million light weapons were circulating in Africa. He stressed the need to create a culture of peace. An international arms trade treaty was linked to national and subregional security.

Recalling that in July, Member States had been nearly able to adopt the treaty, he stressed the importance of a legally binding instrument for controlling export and import of conventional arms. An arms treaty was not intended to “ban the trade” but to “regulate the trade”. The instrument should deal with the issues regarding definition. He recognized the rights of self defence enshrined in Article 51 of the United Nations Charter. A viable treaty should cover items, including accessories, equipment and technology that could be used to manufacture arms at issue.

JONES APPLERH (Ghana), aligning with the African Group and Mexico on behalf of the group of now 116 States, said a lot of useful work had been accomplished by the end of last July, which could now be built upon. Ghana reiterated its call for the inclusion of munitions and ammunitions in the treaty. The issue of regional economic organizations in the implementation of the treaty, once finalized, also merited the attention of the Conference. It was Ghana’s belief that “we will have to strive hard to have a strong and robust [arms trade treaty] that would meet humanitarian objectives”. Ghana hoped that the necessary compromises would be made by all States over the next nine days.

MUSTAFA İLKER KILIÇ (Turkey) said that this was a new and final opportunity to achieve a legally binding, strong, robust and balanced treaty in line with the purposes and the principles of the Charter. The treaty should not prejudge the legal trade of arms and weapons for legitimate defence and security needs of States. The treaty should also strike a balance between the rights and obligations of importing and exporting States. Its scope should be flexible and forward-looking and address technological advances. Moreover, the main focus should be given to categories likely to be used for terrorist and criminal purposes. In that context, not only ammunition, but also munitions, including military explosives, should be covered.

He lauded the efforts to resolve the issue of participation of the State of Palestine and the Holy See. It was unfortunate that those two delegations were not able to benefit from their inherent right to participate fully in the Conference, owing to politicization of the process. He noted the flexibility and sacrifice of the two delegations, but also underlined that the current participation modality could not be a precedent for future conferences.

SHIN DONG IK (Republic of Korea) believed that a carefully drafted treaty could work in full compliance with the general principles of international law, including national sovereignty, non-violence and respect for human rights. The Republic of Korea reaffirmed its resolute support for the goals and objectives behind the arms trade treaty, and believed that a broad scope of conventional arms was necessary to fulfil the instrument’s goals and objectives. He supported the inclusion of the seven categories of weapons in the United Nations Register of Conventional Arms, as well as the addition of small arms and light weapons within the treaty’s scope. In that regard, the 26 July text was a good basis for consensus.

He said it was essential that the treaty clearly prohibit the transfers of conventional arms that violated relevant Security Council resolutions, including arms embargoes. Transparency measures concerning the conventional weapons transfers were an important element of the treaty. At the same time, he believed there should be a balance between such provisions and specific national security concerns, such as the protection of countries’ sensitive information.

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For information media • not an official record