

Arms Trade Treaty Preparatory Committee 13-17 February 2012 Summary Report: Plenary Session: Afternoon – 13 February 2012

Argentina, Australia, Brazil, Democratic Republic of Korea, European Union, the Holy See, India, Israel, Malaysia, Mexico, Nicaragua, Norway, Russia, Syria, Trinidad and Tobago on behalf of CARICOM, Tunisia, Turkey, and United Republic of Tanzania took the floor to express their views and concerns regarding the Chairman's draft paper. **North Korea** reaffirmed that in its opinion, the current draft was not a final version and only opened possibilities for further discussion. The **EU** insisted that the current draft paper should be considered as a good basis for negotiation and reflects a plurality of views. Delegations have had enough time to express their views on substantive matters and should now focus on procedural matters.

All delegations agreed that the negotiations leading to the Treaty should be conducted in a transparent and open matter and should lead to a robust and strong, universally applicable Treaty. **CARICOM** stressed that the Committee should avoid simultaneous meetings and come back to a plenary session at the end of the day.

The main point of contention between delegations regarded the question of "consensus". Referring to the rules of procedures, especially rules 33, 34 and 35, **Russia** noted that the draft contains three levels of decision-making: simple majority for procedures, 2/3 majority for substantive matters and consensus for the final document. For **Russia**, the Treaty would be universally applicable if all State parties agree to the Treaty, and therefore only consensus could give a voice to all delegations. **India, Tunisia, North Korea, Syria, Israel, Nicaragua and United Republic of Tanzania** all insisted along with **Russia** that all decisions should be adopted by consensus and not by vote. However, the **EU, CARICOM, Argentina, Australia, Mexico, Norway, Brazil and the Holy See**, stressed the point that consensus should not be a barrier to reach an agreement. **CARICOM, Norway and Brazil** proposed to introduce a 2/3 majority vote on important decisions in case an agreement could not be reached through consensus.

Most delegations emphasised that the Treaty should be in accordance with UN principles and respect the right of self-defence of States, as enshrined in Art.51 of the UN Charter. Further, that the Treaty should respect the right of States to manufacture, import and export weapons for self defence. **Tunisia, Syria, Israel and Nicaragua** insisted that the Treaty should not endanger the national security of State Parties. Additionally, most delegations stressed that the Treaty should include provisions reminding States of their obligations under international law, particularly, human rights and humanitarian law.

Most delegations emphasised that the Treaty should propose clear criteria and scope, regarding types of weapons and transfers that should be covered. The **Holy See** stressed that the scope should be broad and should follow the 7+1+1 formula and thus include the list of items included in the UN register, plus SALW and ammunition.

Both the **Holy See** and **Argentina** insisted that the Treaty include provisions to strengthen international assistance and cooperation, as some developing countries will lack the means to apply the Treaty consistently. In addition, the **Holy See** mentioned that the Treaty should contain provisions for assistance for victims and survivors of armed violence.

Finally, **CARICOM, Australia, Mexico, Norway, Brazil** and the **Holy See** emphasised that NGOs are particularly important actors in the negotiations and should have the opportunity to speak more than once at the Diplomatic Conference. It was argued to make rule 57(2) more favourable to their participation in meetings other than the plenary.