

Arms Trade Treaty Diplomatic Conference 2 - 27 July 2012 Summary Report: Plenary Session: Afternoon - 5 July 2012

During the afternoon session, the delegations of **France, Lithuania, Luxembourg, Canada, Israel, Chile, Ukraine, Estonia, Namibia, Kazakhstan, Saudi Arabia, Turkey, Spain, Mexico, Thailand, the United States, Myanmar, United Kingdom, Yemen, Netherlands, Greece, and South Africa** took the floor. Organisational issues were also discussed.

The majority of the delegations expressed their agreement that the scope of the treaty should include all types of conventional weapons in addition to the seven categories of the UN Register, and small arms and light weapons and ammunition. In particular, **Chile** emphasised that the treaty must be open to incorporating new types of arms so as to be adaptable to technological progress. As **Turkey** mentioned, “a forward-looking approach is needed” in order to accommodate future developments. **Canada, Israel, and the United States** specifically stated that the treaty should not inhibit the legal trade of arms for private citizens’ ability to purchase arms for recreational uses. However, **Mexico** expressed its view that all conventional weapons must be included regardless of purpose. And, “since criminals make no differentiation from the type of use of arms, we cannot make this differentiation either.” In this sense, **Netherlands** proposed that riot control items such as tear-gas and dual use weapons also be included in this list.

Concerning the types of transactions that should be covered by the treaty, most delegations agreed that all types of activities must be included: imports, exports, transfers, transit, trans-shipment, and brokerage. In addition, a few specific points were raised. **Luxembourg and Estonia** made note of the importance of including brokering, with **Luxembourg** also mentioning loans and gifts. However, **Saudi Arabia** believes brokering lies outside of the scope of activities that should be covered.

For the majority of the delegations, implementation of the treaty should be based on national responsibility through the establishment of adequate legal and administrative structures. The creation of an implementation support unit has been proposed as a minimal step to help countries fulfil their obligations resulting from the treaty. Specifically, the delegation of **Canada** highlighted the fact that we are in times of difficult financial constraints and that “we should avoid creating new bureaucracies”; its proposal for the implementation unit being of a “minimal, small, and flexible” one that should be created out of existing UN resources. The **US** delegation aligned with this position by saying that all measures should be “simple, short, and easy to implement.”

Further, the exchange of good practices and increases in information sharing would be beneficial to effective implementation. All countries agreed that international cooperation and assistance is necessary for developing countries, which lack proper implementation capabilities, with **Saudi Arabia** considering that such assistance and cooperation should be binding in nature rather than discretionary to political opinions.

The majority of the delegations expressed the view that principles of human rights, international humanitarian law, and the right to self-defence in accordance with Article 51 of the UN Charter should be incorporated into the Preamble. The gender based dimension, sexual violence, and the harm inflicted to children were also mentioned. **Lithuania** argued that sexual and gender-based violence should be included in the criteria. As for entry into force, the **US** delegation recalled that 65 was the number of countries used in previous international arrangements, and proposed that the same apply for the ATT.

It is also important to note that **Saudi Arabia** (speaking on behalf of the Arab States and Palestine) aligns with the Chair “despite the inequality to not give some states a voice.” The need for the positions of Palestine and other non-states to be heard, objectivity, and balance were also emphasised as necessary. Stockpiling and the production of the largest exporting countries were thought to be important points of discussion. Further, it was stated that reservation rights “must be incorporated and safe guarded” within the treaty provisions. However, **Mexico** (in its joint statement) stated “that it would be pertinent not to allow reservations, at least regarding scope and criteria.”

Concerning the organisation of work, Ambassador Moritan discussed the proposed program of work for the following day, Friday, 6 July, 2012, including two committee meetings to be held in the morning and afternoon on the Goals and Objectives and Scope. In addition, he mentioned that Secretariat would distribute a draft program of work that captured differences in opinion on issues raised so far. **India** then raised concern on the inability of smaller Member States to

attend meetings being held in parallel. **Algeria and Syria** also sought further clarification. Ambassador Moritan responded with a more formal description of Friday's schedule and again stated that Friday's programme of work would not set a precedent for future work in the following weeks. Further questions arose from the **Democratic People's Republic of Korea** on why a Main Committee meeting on Goals and Objectives would be happening in parallel to a consultation on scope. **Portugal** questioned whether or not it would be truly efficient to continue to hold general statements every morning. Ambassador Moritan responded by stating that he believes that the general statements held each morning are not lethargic, but rather are absolutely essential for a successful conference. Further, following several injections by other states, Ambassador Moritan again reiterated that the program of work that had been proposed would only be repeated if fully agreed upon.