

Arms Trade Treaty Diplomatic Conference 2 - 27 July 2012 Summary Report: Plenary Session: Afternoon - 9 July 2012

The negotiations held during the afternoon of July 9 pertained to the issue of Preamble and Principles only. **Algeria, Australia, Brazil, Canada, Costa Rica, Ecuador, the EU, Finland, France, Hungary, India, Indonesia, Iran, Ireland, Japan, Malaysia, Mexico, Netherlands, the Philippines, Russian Federation, Syria, Trinidad and Tobago, United Kingdom, Venezuela**, took the floor to express their views and concerns about the issues of Preamble and Principles.

The **Russian delegation** expressly asked the legal Council of the Secretariat to clarify the differences between the Preamble and the Principles in the Treaty and their potential legal impact. For **Russia**, the Principles are legally binding contrary to the Preamble. **Syria and Iran** dissented, stating that the Preamble has a legal basis and impact. **France** specifically insisted that the Preamble is not part of the Treaty. **The EU, Finland, France, Hungary and Ireland** proposed to merge the Preamble and the Principles into one single part. **Iran, Syria and Malaysia** opposed such views and insisted on having two separate parts. **Canada, France and the UK** emphasized that the Preamble should present the overall context in which the ATT is situated and clearly state the intentions of the latter. **Japan, Finland and the UK** insisted that the Preamble contain a provision on the humanitarian content of the Treaty.

Most delegations expressed their wish to see the Preamble stating clearly that the need to prevent, combat and eradicate the illegal trafficking and the subsequent illicit diversion of arms to the black market. **India, Indonesia, Iran, Malaysia, Syria and Venezuela** insisted that the Preamble re-affirm the sovereign right of states to territorial integrity and the right of people to self-determination. **Australia, Brazil, Finland, France, Hungary, Ireland, Japan, the EU, Mexico, Netherlands and the UK** emphasized that more streamlining must be done and proposed to merge #2 and #5 together as well as #4 and #6 together of the Preamble. **Canada** reminded its view that hunting and sport weapons should be excluded from the Treaty and that point should be made clear in the Preamble. **Australia, France, Trinidad and Tobago and the UK** underscored that the wording “armed violence” should be included in the Preamble. **France and the Netherlands** requested the same for “corruption” and **Ireland** for “sexual violence”. **Mexico and the UK** would like to maintain the reference to the victims’ assistance in the Preamble while **India** opposed the reference to “human suffering”.

Almost all delegations emphasized that the Preamble should re-affirm the right of self-defense of all states and their subsequent rights to acquire conventional weapons to ensure national security and defense policy as well as participation to UN peace-making missions. Most delegations emphasized that the Principles should expressly refer to the UN Charter. On that regard, **Finland, Hungary and Mexico** expressed the view that the components of international law should be singled out in a separate #. **Costa Rica and France** insisted that the obligations of states to respect UN embargoes and sanctions on arms transfers should be reminded as a principle. Finally the **Netherlands** emphasized that the Principles of the Treaty should be concern only with the core substance of the ATT, meaning the international regulation of arms trade and the prevention of illegal trafficking.