

Arms Trade Treaty Diplomatic Conference 2 - 27 July 2012 Summary Report: Plenary Session: Afternoon – 11 July 2012

During the afternoon session of July 11th the negotiation process continued regarding the issues of Preamble and Principles to be included in the potential Treaty. **Armenia, Austria, Belgium, Botswana, Canada, China, Cuba, Denmark, Democratic Popular Republic of Korea, Egypt, Holy See, Kenya, Liberia, Liechtenstein, Mexico, New Zealand, Norway, Pakistan, South Sudan, Spain, Sweden, Switzerland, Syria, Turkey, United Arab Emirates**, all these delegations took the floor to express their views and concerns about the issues pertaining to Preamble and Principles.

A point of disagreement clearly emerged on the question to whether or not merge altogether the Preamble and the Principles. While **New Zealand and Sweden** insisted that the later should be merged, **China, Cuba, Democratic Popular Republic of Korea, Egypt, Pakistan, Spain, Syria and Turkey** opposed such merging. The question previously raised by the Russian delegation about the legal status granted to both the Preamble and the Principles was discussed as well. Most delegations opposed to the merging specified that the issues pertaining to the Preamble and the Principles were linked to the issues pertaining to the Goals and Objectives of the potential Treaty and could not be separated. Almost all delegations agreed that the Preamble and Principles of the Treaty formed a very important part of the future Treaty that will determine its interpretation and future direction. **Cuba** specified that the Preamble should give the general framework and context of the Treaty while the Principles would offer basic guidelines for its interpretation. **Pakistan** emphasized the great need to agree on Principles on a consensus basis only. **Egypt** proposed to follow the example set up in the UN Charter itself to specify with a chapeau which particularly principles were agreed upon by state parties. **Spain** proposed to establish a hierarchy between principles from the more general to the more specific ones.

Another issue was raised regarding whether the Treaty should only refer in a broad manner to the principles contained in the UN Charter or whether some particular principles most directly related to the substance of the Treaty should be singled out. **Cuba, Democratic Popular Republic of Korea, Egypt, Iran, Pakistan and Syria** opposed the proposal made by **Mexico** to only refer to the UN Charter as a whole as they refused to give way to a potential "pick-and-choose" option for state parties to the Treaty. Most delegations insisted that the Treaty re-affirm such principles as the right of states to self-defense, the subsequent right to acquire, manufacture, import and export conventional weapons to secure national security needs, the restraint of the use or threat of use of force and the prohibition of arms transfer to non-state actors. The principles of political independence and non interference in the internal affairs of states, territorial integrity and right of self-determination were raised by a great deal of delegations that wish to see them included in the final outcome of the Treaty. The **Democratic Popular Republic of Korea expressed** the wish to see the Treaty mention the link between conventional arms and nuclear weapons. both the **Democratic Popular Republic of Korea and Kenya** emphasized that the Treaty should not infringe on the right of states to determine for themselves how to regulate internal arms trade.

Austria, New Zealand, Norway and Switzerland proposed to merge #2 and #5 as well as #4 and #6 of the Preamble of the Chair Paper of July 3rd 2012. **Austria, Belgium, Botswana, Denmark, New Zealand, Norway, Sweden and Turkey** insisted on the particular issue of "gender-based violence", particularly regarding women, and raised also the issue of "child soldiers". **New Zealand and Norway** emphasized the issue of assistance to victims of "armed violence". **Switzerland and Turkey** underscored the particular responsibility of states in curbing illegal trafficking of conventional arms. **Denmark** pointed out the responsibility of corporations as well. **Austria** would like that the Treaty contained a provision on "corruption". **Canada** insisted on "sustainable social-economic development". **Kenya** wished to see the positive role of civil society for implementation of the Treaty recognized in the final outcome of the document.

Finally, the Chair of the Committee 1 opened the discussion for an "interactive dialogue" among delegates on the questions of merging of the Preamble and the Principles as well as a reference to the UN Charter as a whole instead of singular principles. **Cuba, the Democratic Popular Republic of Korea, Egypt, Indonesia, Iran, Pakistan and Mexico** took the floor to reiterate in a more detailed manner the comments they made earlier in their statements.