

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

This morning session was dedicated to the NGO segment and afterwards to discussing the Goals and Objectives of the future treaty. During the NGO segment which took place one hour before the official start of the meeting, 12 speakers took the floor, five of them from the Control Arms Coalition: Seydi Gassama from Amnesty International (Senegal), Deepayan Basu Ray from OXFAM International, Jaasmin Galace from IANSA, Mimidoo Achapka from Women's Right to Education Program (Nigeria) and Hazem Ksouri from Control Arms. Their statement can be found here:

www.un.org/disarmament/ATT/statements/

During the meeting of Committee 1 which discussed Goals and Objectives, the delegations of **New Zealand, Malaysia, Egypt, Pakistan, China, Samoa, Hungary, Iran, Netherlands, Columbia, India, South Africa, Mexico, Cuba, Iceland, Syria, Iraq, Indonesia, Venezuela, and The Holy See** took the floor.

A draft paper was distributed during the meeting stating several States proposals for the chapeau and goals and objectives of the treaty. These proposals had been made by the **Netherlands, Cuba, Finland, the European Union, and the Islamic Republic of Iran**. And were formulated as follows:

For the Chapeau: "This Treaty shall seek to improve regulation of the international trade in conventional arms through the application of the highest possible international standards (Netherlands).

"The objective of the arms trade treaty is to contribute to prevent, combat and eradicate illicit trafficking in conventional arms." (Cuba)

The primary goal and objective of the Treaty is to regulate international legal trade of conventional arms, (Finland):

The main purpose of an ATT is the regulation of the legal trade in conventional arms through the establishment of the highest international standards that should be common to all Parties to the Treaty." (European Union)

Underneath Goals and Objectives, the **Netherlands** proposed four main points: 1. Reduce unnecessary human suffering; 2. Prevent irresponsible transfers of arms; 3. Inhibit the diversion into the illicit market; and 4. Promote transparency, accountability and the responsibility of States. For **Finland** its main goals and objectives were to "establish the highest possible commonly accepted standards for various types of transfers under the treaty, reduce human suffering and commit to respect IHL and International humanitarian law, strengthen international and regional peace and security and contribute to conflict prevention and stability, prevent and combat diversion of arms to others than the intended end-users/illicit market, and promote transparency and accountability of State Parties in international arms trade. **Iran** believes that "The purpose of this Treaty is exclusively to prevent the diversion of conventional arms into the illicit market." Finally, the **European Union** stated that its main goals and objectives focused on "the prevention of the illegal trade in conventional arms; the reduction of human suffering that is under no circumstances necessary; the prevention of armed conflicts, trans-national organized crime, terrorist acts, armed violence, and the promotion of sustainable socio-economic development."

During the meeting's discussion, **Malaysia** indicated that the primary goal of the treaty should be to regulate the trade of conventional arms in order to prevent their diversion in the illicit market, with the following formula "The purpose of this treaty is to improve the regulation of the legal trade in conventional arms through the application of the highest possible international standards [...]." **China** and **Iran** adopted a similar position, the later insisting that the goal of the treaty should be "exclusively to prevent the diversion of conventional arms in the illicit market." The **Cuban** delegation's proposal was that the treaty should "contribute to preventing, combating and eradicating the illicit trade in conventional weapons." **Samoa** added that the goals and objectives of the treaty should also be to promote the goals and objectives of the UN Charter.

Further, many delegations such as **Hungary, Samoa, Netherlands, Mexico, The Holy See, New Zealand and Egypt** believe it is necessary that the section "Goals and Objectives" of the ATT makes reference to preventing human suffering (**Netherlands** proposed that the word "unnecessary" be erased), to combating transnational organized crime and terrorism, to promoting social and economic development, and to strengthening national, regional, and international peace and security. **Netherlands** explained that, in its view, the treaty's purposes can be divided into two main focuses, the humanitarian aspect and the prevention of the illicit trade in arms. Moreover, **Columbia** expressed the views that "the treaty is a document that is action oriented, so it should not contain expressions of desires or intentions simply," and

proposed that the wording “seeks to improve” in the Chair’s non-paper be replaced with “to regulate the international trade of arms.”

The Holy See echoed an earlier statement that UN Articles 61/89, 63/240, and 26 already support the objectives that form the basis of an ATT. A treaty that “reflects not only a mere commercial interest, but a trade in arms more respectful to human dignity” was envisioned as necessary for a successful ATT. It was suggested that the first objective should be the reduction of human suffering and therefore application of human rights and international humanitarian law is needed.

Further, **China** mentioned that it considers that non-state entities are an important aspect of the treaty. **Syria** also believed that one of its primary treaty goals was “to prevent diversion of arms to illicit markets and prevent such transfers to non-state actors.”

It is also important to note that **Iceland** proposed that the inclusion of provisions on gender-based violence were essential to the treaty and should be included in the preamble, criteria, and goals and objectives of the treaty. Further, **Iceland** “encouraged other delegates to support the position of taking into account gender-based violence in the treaty.” Its inclusion in the treaty criteria would be as follows: “be used to perpetrate acts of gender based violence, including rape and other acts of sexual violence.” In addition, **Iceland** also stated its support of **Norway’s** suggested text on goals and objectives, saying it was “– clear, strong, and ambitious.”

Later on, **India** expressed its “compassionate concern motivated by a desire to see all move more quickly towards negotiations” and the need to have a text in the form of a treaty text., and therefore proposed to the Chairman that delegations email their text proposals for the treaty, so that “a genuine negotiation phase”, as stated by **Venezuela**, could start as soon as possible. Many delegations, especially **China**, the **Netherlands**, **Malaysia**, **Egypt**, **Mexico**, **Syria**, **Iraq**, **Indonesia**, and **Cuba** supported this proposition to move forward, whether with a rolling text displaying the main proposals made by delegations or ask delegations to give their suggestions for a rolling text. **Cuba** expressed its concern about an “increased risk that in the last days there will be an attempt to impose a text that has not be truly negotiated and does not reflect the legitimate concerns of the delegations.”

At the end of the meeting, the Chair reiterated the importance of moving forward in a timely manner and said that “it was necessary to listen to all positions before providing a rolling text.” States were then invited to submit proposals and ideas in treaty text (Goals and Objectives only) by Thursday at noon in order to fully utilize the meeting time available.