



Arms Trade Treaty Preparatory Committee 13-17 February 2012 Summary Report: Plenary Session: Morning- 16 February 2012

The delegations of **Malaysia, EU, United Republic of Tanzania, United Kingdom, Costa Rica, Switzerland, Chile, Brazil, Sierra Leone, Vietnam, Belize, Algeria, Sweden, Morocco, Norway, Thailand, Cuba, Indonesia** took the floor and expressed their views of procedural matters.

All delegations insisted that the negotiations should be transparent, open, and the Treaty should be non-discriminatory, effectively applicable, and primarily prevent and combat diversion and the illicit arms trade.

The question of both procedural and substantial matters still created differences between delegations regarding procedural matters. The **EU, Tanzania, Switzerland** all recalled the agreement with the **Russian Federation** to end paragraph 20 after "Nothing within the Chair's Non-Paper has been agreed". However, **Tanzania** was hopeful that the Draft Report would mention issues that still needed to be addressed (scope and parameters).

Algeria, Cuba, Vietnam, Morocco stressed that they would like to see the UN Secretariat produce a compilation document exposing all the views that all the delegations have exposed so far, but **Sweden** and the **EU** disagreed. Some delegations, such as **Costa Rica**, recalled that the delegates should aim to reach an agreement but underscored the risk of failure because of the use of veto by some delegations.

Sweden and the **EU** added that the final agreement should be based on consensus if possible; otherwise delegates should envisage a vote. **Indonesia** proposed to follow a majority vote on procedural matters and to keep a consensus on substantial matters. **Brazil** advised to avoid voting for adopting for rules of procedure. **Vietnam** insisted that exporting states should bear most of the responsibilities, when it comes to transfers. However, **Sweden** disagreed strongly as the ATT should not be conceived as regulating transfers from exporting states only, but involving all states.

Regarding substantive matters, most delegations agreed that the Treaty should follow 7+1+1, and include conventional arms, SALW and ammunition. The **EU** delegation, **Thailand, Switzerland, and Chile** insisted to also include component parts, and transfer of technology.

Vietnam was opposed to including technology and ammunition. Joined by **Sierra Leone and Malaysia, Vietnam** suggested that the addition of socioeconomic criteria, corruption, money laundering, and other such auxiliary issues are already covered by other UN treaties. Most delegations agreed on the list of arms and transfers present in the Chairman's Draft Paper (excluding technology). **Malaysia** specifically insisted on including physical movement across borders.

Sweden emphasised that the treaty should pay special attention to transshipment and oppose any transfers to non-state actors, and called on the delegates to consider the fact that weapons are mostly produced by non-state actors. **Norway** emphasised that the Treaty pay close attention to the question of licensing.

Most delegations agreed that the Treaty should respect the right of states to self-defence and the right to produce, import and export to ensure national security.

A great number of delegations insisted that the Treaty should remind states of their obligations under international law, including human rights law, and international humanitarian law. **Sierra Leone** mentioned that the Treaty should take into consideration human development and special assistance to victims and survivors of armed violence (women and children). **Thailand** mentioned that the Treaty should take into account the pre-existing UN international framework, including the UN Program of Action (PoA), the International Tracing Instrument (ITI), and regional and sub-regional arms trade agreements.

Regarding implementation, **Malaysia, Vietnam, and Chile** insisted on the importance of the Implementation Support Unit (ISU) to help in the collection of data and to put in place effective control mechanisms. Most delegations insisted on the inclusion of provisions regarding international cooperation and assistance so that the Treaty could be efficiently and consistently implemented.

Vietnam and **Sierra Leone** put emphasized on the need of the developing country to receive assistant on capacity building on a human and institutional level. Concerning the NGO's, the EU, Norway, reminded that NGO should take an active part in the negotiation, and public access to every single meeting.