Statement
by
H.E. Ambassador Jörg Ranau
Head of the German Delegation to the UN Conference on the Arms Trade Treaty
at the
Opening Session of the final United Nations Conference on the Arms Trade Treaty

18 March 2013
(for written distribution)
Mr. President,

My delegation joins others in congratulating you to the election as the President of this conference. Be assured that we will fully support your work to successfully conclude this Conference with a strong and robust Arms Trade Treaty.

Let me briefly outline why we are participating with high hopes in this final conference and why we believe that only a strong and robust Arms Trade Treaty can be an acceptable outcome of our joint efforts.

Firstly, the absence of international standards for trade in conventional arms has negative and far-reaching consequences.

Many countries operate only rudimentary arms export control systems or have no such systems at all. As a result, there is a flourishing market in illicit weapons, especially for small arms and light weapons, which tend to end up wherever conflicts are under way. These arms – and particularly small arms and light weapons – as well as the ammunition that is needed for such arms are used to commit serious human rights violations on a massive scale or violations of International Humanitarian Law. The appalling plight of the civilian population and the huge number of people killed in civil wars send a message that cannot be ignored: the international community must act to bring these weapons under better control.

In this context a treaty to regulate the international arms trade that is universally agreed and also effectively implemented on the ground can help prevent armed conflicts as well as curb transnational organized crime and terrorism. In the long term, moreover, the chances of curbing the illicit market for weapons of all types and limiting irresponsible arms trade will improve as well. Curbing illicit transfers which will eventually flow from a better regulation of legal arms transfers is in our own security interest.

Secondly we have already achieved a substantial degree of convergence during the negotiations last July – some would say a surprisingly high level of convergence. However countries continue to hold differing and sometimes controversial views on the scope of the treaty, the criteria for issuing export licences and the modalities of implementation by the future States Parties. Nevertheless, there appears to be sufficient common ground to find agreement. This is reflected inter alia by the overwhelming majority in the UN General Assembly which supported the resolution that makes the outcome of the last ATT Conference, the 26 July 2012 Draft Treaty, the basis for our negotiations in March 2013.

Therefore we will inter alia focus on the following points:

- Firstly, an Arms Trade Treaty will only deliver added value if it requires countries to examine the potential consequences of arms transfers on the basis of a set of clear and ambitious criteria laying down the highest possible common standards. My delegation will therefore seek substantive improvements to Article 3 paragraph 3 and Article 4 paragraphs 1, 5 and 6.

- Secondly, an Arms Trade Treaty must be as comprehensive as possible, in terms of both the goods and activities covered and the countries that sign up to it. Therefore Germany believes it imperative to include ammunition, parts and components and technology in the scope. An
ATT that fails to address the inherent risk of diversion in transfers of conventional arms, including ammunition, is falling short of our ambition. In terms of activities, we believe that all kinds of transfers should be covered by an ATT. In our opinion this fact should be clarified in Article 2.

- Thirdly, only an Arms Trade Treaty, which enjoys broad support, is signed up to by as many States as possible and becomes legally binding and will thus acquire the legitimacy it needs. To be effective, however, the treaty must impose clear obligations without leaving unjustified loopholes. One of these loopholes, the current Article 5 paragraph 2 urgently needs an amendment to give clear priority to sound and systematic export controls as provided for by the treaty. The ATT should not be superseded by existing forms of bilateral agreements, in particular defence cooperation agreements.

- Fourthly, an ATT will only be fully operative if there is a true transparency reporting provision. Therefore, reports about aggregated export licenses granted need to be made available to the public.

- Finally, my delegation believes that more needs to be done about end-use assurances, to effectively prevent diversion at all stages of a weapon’s life cycle. So far the treaty is mentioning the risk of diversion but remains silent about the well-established practical measures to prevent diversion, including proper end-use controls. There seems to be an agreement from all sides of the spectrum of opinions that this issue needs further elaboration. We will contribute to finding solutions that can effectively address this issue. 

With these objectives firmly set, we will work — as set forth by UN-GA-Resolution 67/234 that gives the mandate to this Conference - on the basis of the draft Arms Trade Treaty as of July 26th 2012. This draft, with a number of important amendments, captures the essence of what we believe an ATT could look like. I hope that forthcoming drafts will both preserve this essence and introduce the right and relevant amendments that are needed to secure a strong and robust Arms Trade Treaty.

Mr. President,

We believe that an Arms Trade Treaty can only be a first step in the right direction and needs a careful follow up once it has been agreed upon. We stand ready to assist countries in setting up or improving their respective control systems. Once we have been successful here in New York experts from future States Parties will need to cooperate with each other to implement an ATT at national level in the best and most appropriate way. Germany has already made available funds for these purposes, for example for two seminars in Windhuk and Abuja as well as in Addis Ababa, and will continue to do so.

Mr. President,

Implementing an ATT will also need the experience, resources and collective political will of regional integration organizations. We therefore strongly believe that such organizations need to have a role and be allowed to become parties to this treaty. Despite few objections, we noted that there is broad
support for this initiative. Germany is a part of the European Union. This Union has been entrusted with true competences in areas relevant to the trade in arms. Like other regional integration organizations the EU should be able to fully participate in the future life of this treaty. The EU has contributed a lot to this process and to enhancing the effectiveness of arms export controls in general. And it is well placed to do so in the future for the benefit of all future States Parties to the ATT. The EU is a preferred partner of many countries in the enhancement of arms export controls.

Mr. President,

In sum, the challenge at this negotiation will be to agree upon a universally valid and binding document that strikes a balance between the general principles of free trade, countries’ multifaceted security needs as well as the need for responsibility in the international arms trade. We are confident that with your able leadership and if a spirit of good cooperation and compromise prevails in this Conference we have a realistic chance to strike the right balance and reach the goal that we set out for in the UN-GA of 2006, a strong and robust Arms trade Treaty. The millions of people suffering from the consequences of unregulated trade in conventional arms place their hopes on us. My delegation is willing to continue to show its full engagement for this process. We should work together to seize the historic opportunity and make this Conference a success!

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