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STATEMENT

by

H.E. Ambassador Byrganym Aitimova,
Permanent Representative of the Republic of Kazakhstan
to the United Nations
at the Final United Nations Conference on the Arms Trade Treaty

18 March 2013
New York
Mr. Chairman, the High Representative, Excellencies and distinguished colleagues.

I congratulate His Excellency Peter Woocott for his very capable leadership in preparing the groundwork for this most important final conference on the ATT and thank him, the Office of Disarmament Affairs and the Bureau for their tireless efforts to ensure the success of our negotiations.

Kazakhstan strongly urges that this opportunity be used most earnestly to complete a comprehensive and legally-binding international Arms Trade Treaty, which promotes the goals and objectives of the Charter of the United Nations. The Treaty should establish the highest common global standards for the import, export, transfer, production and brokering of conventional arms, with optimal transparency and accountability. The Treaty should also set the basic parameters of control over arms trafficking, and not permit exclusive right to any country over arms trade but allow strict monitoring by the signatories of the Treaty to prevent illicit trafficking of arms.

In addition, the ATT should prevent international transfers of conventional arms that contribute to or facilitate human suffering, serious violations of international human rights law and international humanitarian law. It should prevent violations of United Nations Security Council sanctions and arms, embargoes and other international obligations. Furthermore, the Treaty should avert arms transfers that trigger conflict, displacement of people, organized crime, and terrorist acts undermining peace, reconciliation, safety, security and stability.

My delegation would like to note that almost all areas of world trade between United Nations Member States are covered by rules that bind countries into agreed conduct, but they are not bound by rules when transferring weapons. A legally binding uniform agreement therefore would seek to harmonize existing diverse national laws on the trade in armaments and ammunition, which presently obscure transparency and trust. The differences between them have created legal loopholes resulting in the ready availability of weapons that have led to human tragedy, repression, crime and terror among civilian populations.

Kazakhstan recognizes the independent sovereignty of states and their right to self-defense. At the same time, we need to clearly demarcate regulations for all kinds of conventional arms: military vehicles, artillery systems, military aircraft and helicopters (manned or unmanned), naval vessels (surface and submarine vessels manned or equipped for military use), missiles and missile systems (guided or unguided), small arms. The scope should be expanded to include all kinds of activities and lethal ammunitions so far not included in the UN Registry of Arms, such as individual and personal arms in the form of rifles, pistols and grenades used in the commission of crimes against civilian populations.

Weapons without ammunition are useless, and so an ATT, which excludes ammunition, would constitute a failure to respect and respond to international humanitarian law (IHL) and basic concerns for the humanitarian impact of conventional arms proliferation. Special consideration should also be given to averting tragedies befalling women, children and youth as victims and, in some cases, as perpetrators. In addition, SALW should be an integral part of the ATT, whose provisions and implementation should be in coordination with
the Programme of Action to Prevent, Combat and Eradicate Illicit Trade in Small Arms and Light Weapons.

Implementation and compliance are critical, and can be guaranteed only with sound national legislation, mechanisms and systems of collation, storage and retrieval of comprehensive data at the regional and national levels. All States would be required to keep records of arms transfers, with a mandatory schedule of public reporting to facilitate information-sharing and consultations. Kazakhstan believes that the Treaty must be supported by further developing and adopting a monitoring mechanism, including a clear stipulation of procedures for marking arms and ammunition. These monitoring mechanisms are crucial in the so-called “gray areas” located outside the regime of conventional arms control, and where conflict is occurring or has taken place in the recent past. The issue of defining penalties and sanctions against states which do not fulfill the Treaty’s obligations must be resolved. In order to ensure compliance and settlement of disputes, Kazakhstan joins other Member States in their call for establishing and independent verification organization, and the periodic convening of meetings of States Parties to review the treaty’s effectiveness and shortcomings.

Human capacity and resources are vital elements of any action plan, and so we must develop technical cooperation and assistance to make the ATT functional and effective, even though not fully exhaustive. In general, the idea of an ATT must not divide Member States, but rather become an instrument in consolidating international, regional, national and local efforts. The impact of illegal arms trade runs through the fabric of society, and thus requires mobilizing the full multi-stakeholder arrangement of State Parties, parliamentarians, arms industry, scientific institutes, religious leaders, private sector, academia, media, civil society and grassroots movements.

Following Rio+20, Kazakhstan is of the view that the ATT must lead to regional and national security, investments and development in all countries, and their ability to attain the MDGs and the SDGs in post-2015, especially those experiencing conflict and high levels of violence. The Treaty should aim to not only regulate and reduce arms trade, but also reduce militarism, its spending and redirect economic resources to realize article 26 of the UN Charter.

Finally, Kazakhstan stands committed to fully cooperate with the international community to adopt a well conceived ATT which is a safeguard for furthering human advancement and the preservation of our depleting environmental resources.

Thank you, Mr. Chairman.