Main Committee I: Preamble/ Principles
Chairman's paper
22 July 2012 – 10h00 AM

1. Preamble

The States Parties to this Treaty


2. Recalling that the Charter of the United Nations promotes the establishment and maintenance of international peace and security with the least diversion for armaments of the world’s human and economic resources;

3. Reaffirming the obligation of all State Parties to settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered, in accordance with the Charter of the United Nations;

4. Underlining the need to prevent and combat the illicit trade of conventional arms and to prevent their diversion;

5. Recognising the legitimate political, security, economic and commercial interests of States in the international trade of conventional arms and related items 3;

6. Reaffirming the sovereign right of States to regulate transfers of conventional arms that take place exclusively within their territory pursuant to their own legal or constitutional systems;

7. acknowledging that peace and security, development and human rights are the pillars of the United Nations system and the foundations for collective security and well-being, and recognizing that development, peace and security and human rights are interlinked and mutually reinforcing;

8. Recalling relevant resolutions of the General Assembly, including regarding the United Nations Disarmament Commission guidelines for international arms transfers;

9. Noting the contribution made by the 2001 UN Programme of Action to preventing, combating and eradicating the illicit trade in small arms and light weapons in all its aspects, as well as the 2001 Protocol against the illicit manufacturing of and trafficking in Firearms, their parts and components and ammunition, supplementing the United Nations Convention against Transnational Organized Crime;
10. Recognizing that the absence of commonly agreed international standards for the trade of conventional arms that address, inter alia, the problems relating to the unregulated trade of conventional arms and their diversion to the illicit market is a contributory factor to armed conflict, serious violations of international humanitarian and human rights law, the displacement of people, armed violence, [gender based violence/ violence women and children], organized crime and terrorism, thereby undermining peace, reconciliation, security, stability and sustainable social and economic development;

11. Noting the concerns regarding the potential impact of unregulated trade of conventional arms on sustainable development and the possibility of furthering corrupt practices;

12. Resolved to do their utmost to provide further assistance to the victims of armed conflict, including through appropriate medical care, rehabilitation, and social and economic reintegration;

Or: Recognizing the challenges faced by victims of armed violence and armed conflict, and their rights to adequate care, rehabilitation and social and economic inclusion,

13. Bearing in mind that women and children are particularly vulnerable in situations of conflict and armed violence

14. Bearing in mind that sharing best practices at regional on the international transfer of conventional arms can play an important role in furthering the goals and objectives of an Arms Trade Treaty;

15. Emphasising that nothing in this treaty prevents States from exercising their right to adopt, at the national or regional levels, [more restrictive] measures in addition to those provided in the Arms Trade Treaty to further regulate the transfer of conventional arms to or from their territory;

16. [Recognizing the legitimate international trade and lawful private ownership and use of conventional arms for, inter alia, recreational, cultural, historical and sporting activities for State recognizing such activities;]

17. [Alarmed by the grave consequences of the continuing over production and accumulated stockpiling of conventional arms;]

States parties agreed as follows
2. Principles

In pursuing the goals and objectives of the treaty States resolve to remain guided by

1. the principles and rights enshrined in the Charter of the United Nations, including:
   i. the inherent right of all States to individual or collective self-defence in accordance with Article 51 of the Charter;
   ii. the right of territorial integrity and political independence of States and non intervention in their internal affairs;
   iii. the right to self-determination of peoples under colonial rule and foreign occupation; and
   iv. the right of all States to manufacture, import, export, transfer and retain conventional arms for self-defence and security needs;

2. the rights and obligations of States under applicable international law, including international humanitarian law and international human rights law;

3. the responsibility of all States, in accordance with their respective international obligations, to effectively regulate and control international transfer of conventional arms as well as the primary responsibility of all States to in establishing and implementing their respective national export control systems;

4. the necessity to implement this treaty consistently and effectively and in a universal, objective and non-discriminatory manner.