Statement by Mr. Md. Mustafuzur Rahman
Deputy Permanent Representative
Permanent Mission of Bangladesh to the United Nations
At the United Nations Conference on Arms Trade Treaty

New York, 10 July 2012

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Mr. President,

Allow me to congratulate you on your election as the Chair of this important Conference. We have full confidence in your able leadership & excellent credentials to steer the deliberations to fruition. You can count on our full support in this collective endeavour to conclude a comprehensive, transparent and effective Arms Trade Treaty.

Mr. President,

My statement would mainly focus on four elements of the probable ATT, namely goals and objectives, scope, criteria and international cooperation and assistance.

Mr. President,

Bangladesh supports the principles as set out in the Chair’s text, in particular the references to the UN Charter; to the political independence, sovereign equality and territorial integrity of all States; the right to self-determination; the general prohibition against the use or threat of use of force; and States’ rights and obligations under international law, including international human rights law and international humanitarian law.

In our view, the chair’s text of July 2012 does not adequately reflect the goals and objectives the ATT seeks to achieve. Therefore, this section may need to be further elaborated. We need to be clear about the goals and objectives in order to be able to achieve those through negotiations. As we all agree that the primary goal of the arms trade treaty is to prevent and combat illicit trafficking of conventional weapons; thus it is necessary to appropriately regulate arms trade activities without affecting legitimate arms trade or a State’s legitimate right to self-defense. States should also be able to meet their legitimate defence and security needs, and assist in international peacekeeping operations when possible.

Mr. President,

We are of the view that the arms trade treaty should be comprehensive in scope but feasible for implementation, focusing on targeted problems. The Arms Trade Treaty should cover export, import, state-to-state, state-to-private end-user, commercial sales, Leases, loans or gifts or any other form of transfer of material goods or expertise, re-export, transit, temporary transfer and trans-shipment and brokerage of all conventional arms, including but not limited to, heavy weapons, small arms and light weapons, ammunitions, parts and components of the aforementioned, etc. To be effective, an Arms Trade Treaty should contain a comprehensive system to control the cross-border movement of all conventional
weapons, munitions and associated parts, technology and equipment. The above items should be clearly defined and laid out in a detailed annex that should be updated at regular intervals. The definition of conventional arms to be included in the treaty should be flexible and adaptable to future technological developments in the arms industry.

Mr. President

The treaty should establish a set of clearly defined and measurable criteria that can be consistently and transparently applied for refusal to negotiate or to honor an arms transaction or transfer. It is one of the areas where the fear of political abuse is most relevant and hence adequate safeguard is required to prevent manipulation of the criteria by some States to promote political and security agenda or to apply the treaty provisions in a discriminatory manner.

Once concluded, countries would need to adopt legislative and administrative measures to implement the Treaty obligations to control the flow of arms into, out of and through their respective territories. It is understandable that some countries with well-established national systems and controls will be better placed than others to implement their treaty commitments. For many others, there will be gaps in national capacity and capability that may have to be addressed through international cooperation and assistance. The implementation strategy of the treaty must, therefore, account for the difference in the capacity of States and the specificities of the legal systems and the existence of relevant national legislation. As a developing country Bangladesh proposes that development partners including emerging economies provide developing countries especially to the least developed countries with materials, training, human resource, technology and funds as necessary for implementation. The treaty should be more focused on the type of assistance needed and include provisions of binding commitments of the developed countries to assist the developing countries to help them implement the treaty provisions and achieve treaty objectives.

Mr. President,

Our objective is to 'regulate and smoothen' rather than 'restrict' legal arms trade, making arms trade transactions more transparent, while not allowing, through sufficient safeguards, the political abuse of the scope and parameters of the treaty for other political, commercial or economic interests. Our aim is to have a treaty which is robust but implementable. We want to have a treaty which addresses the problems of illicit transfer of arms and saves millions of preventable deaths, destruction and economic losses caused by such transfers.

I thank you Mr. President.