United Nations Conference on the
Arms Trade Treaty

Speech on behalf of the French Minister of Foreign Affairs,
His Excellency Mr Laurent Fabius

Delivered by Mr Jean-Hugues Simon-Michel,
Ambassador and French Permanent Representative
to the Conference on Disarmament

New York, 2 July 2012
Mr President,

Mr Secretary-General,

Mr Laurent Fabius, French Minister of Foreign Affairs, has asked me to read you the following message:

"Mr President,

The United Nations Diplomatic Conference on the Arms Trade Treaty, a negotiation conference, marks the culmination of long, intense mobilization.

In 1995, Mr Gustavo Arias, Nobel Prize laureate and former President of Costa Rica, launched a vibrant appeal for better regulation of the arms trade. Ever since, civil society has worked tirelessly for the creation of a legally binding international instrument. In this respect, I welcome the involvement of all the international organizations whose action, reflection and commitment have played a leading role throughout this process. France is proud to be one of the many States which have supported this initiative at the United Nations General Assembly and which made it possible to adopt the Resolution which decided this conference in 2009.

The European Union has also played its part in this work. In this regard, I naturally align myself with the statement made by the European Union. We have in Europe an unprecedented common mechanism to control the arms trade. The Union has a special legitimacy to underline his experience.

This mobilization is unprecedented and our negotiations should lead to a treaty which will be historic in more than one respect:

To begin, this will be the first treaty in the area of arms control adopted by the United Nations in more than 15 years. Together, we can therefore achieve a great success for the multilateral system as a whole.

This treaty will also be the first global regulation in the only section of globalization which is so far unregulated: the arms trade. Why could States agree on standards for the majority of international trade's sectors but not for the arms trade? It is not impossible. It is urgent and necessary to remedy this gap in global governance. It is essential to create a universal legal standard on arms transfers, a standard to regulate legal trade, to prevent illegal trafficking and to help improve the conditions of many populations.

This, Mr President, is a fundamental issue. I hope, and I am sure, that the delegations will be guided by this thought throughout these negotiations.

The instrument we will define here must be a significant contribution to peace and security. It will have to help reduce violence, consolidate fragile States, contribute to compliance with human rights and international humanitarian law, and bolster the fight against terrorism and organized crime, and it should finally take into consideration the needs of development States. Lastly, it will have to build States' capacities to develop. For France, these are the political foundations of the future Treaty."
This Treaty does not aim to ban or limit the trade. It aims to regulate it and ensure responsible conduct. We must not forget that the arms trade is legal. This Treaty will bolster its legitimacy.

Mr President,

In the coming weeks, which are so few given importance of the issue, and the expectations carried by our meeting, the delegations will have the opportunity to together specify every aspect of the future Treaty. I would like to recall a few items which have, since the beginning of the process, formed the main elements of the position of my country.

To achieve our shared objective, the scope of this Treaty will have to be ambitious and cover all equipment and types of transfer subject to control. This equipment covered should be as extensive as possible. Naturally, it must take up the categories of the United Nations Register of Conventional Arms and cover their components and related technologies. But it must also include small arms and light weapons (SALWs) and ammunition of all calibres, as it is these SALWs which cause the most victims in many regions of the world, particularly in Africa. They are at the heart of the armed violence phenomena and they destabilize the most States. To be effective, the Treaty will have to impose controls on all activities which form part of the “chain of transfer” (exports, but also imports, transit and transhipment) as well as on arms brokering.

The criteria for assessments of requests for export, transit and brokering licences will be an essential element of the Treaty. In this respect, they must take into account compliance with States' international obligations and with international human rights and humanitarian law – criteria to which we attach particular importance – and preserving international peace and security from the risk of diversion of transferred arms. The impact on the economic and social development of States receiving transfers must also be assessed. Lastly, France hopes that the risk of corruption will be taken into account.

Moreover, France considers that the effectiveness of the Treaty will depend on the implementing measures provided for. The Treaty will have to provide for the establishment by every State Party of an arms transfer control mechanism based on the highest common standards possible. States will in particular have to acquire a suitable package of laws and administrative procedures concerning the transfer of arms, including criminal sanctions and rigorous implementing measures.

This Treaty will also have to be an assistance and cooperation treaty, of which an important component will be judicial cooperation and international legal assistance, as well as technical cooperation aimed at helping certain countries implement mechanisms for control and the fight against trafficking.

Such a treaty cannot be conceived without measures for transparency. Thus France supports introducing provisions regarding the creation of reports on the implementing arrangements of the Treaty by the States Party as well as publication of information on arms transfers.

Mr President,

Throughout the preparative work, you have successfully led discussions with talent and remarkable expertise. I would like to thank and congratulate you for your commitment and the manner in which you have been open to all delegations.
Once again, I assure you of France’s full support for your action and our commitment alongside you to achieve a significant and ambitious instrument.”

Thank you, Mr President./