United Nations Conference on the Arms Trade Treaty

2-27 July 2012

Opening Statement

H.E. Dell Higge
Ambassador for Disarmament

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As delivered
The norms of diplomacy suggest, Mr President, that I should begin my statement today by congratulating you on the confirmation of your formal position as our President and expressing New Zealand’s support for you as you guide us on the substance and through the process of adopting an Arms Trade Treaty (ATT) at the end of this month-long negotiating period.

After watching your adroit handling of the two years of preparatory process for this Conference, and indeed, your hard work over the first few days of this week, I am able to say with much more than mere politeness that New Zealand is delighted to have you continue as our guide on the road ahead.

We put our trust in you to bring us to success. Success, for New Zealand, means the adoption of an ATT with standards high enough for it to be realistic to expect the Treaty to contribute meaningfully to global peace, security, and stability.

Only if it sets high standards will the Treaty live up to its objective of preventing and eradicating the illicit and irresponsible transfer of conventional arms and their diversion into illicit markets and end-users. Only if its standards are high can we expect real outcomes for human security and development in many parts of the globe.

New Zealand will support the adoption of a Treaty that is comprehensive both as to the nature of the weapons it covers and the type of activities it regulates.

“Comprehensive” for us means the broadest possible range of conventional weapons including small arms and light weapons as well as ammunition and componentry.

“Comprehensive” for us means the full spectrum of transactions directly relevant to the international trade in arms: not just exports – although these are clearly the most important category of transfers - but re-export, transit, and transhipment as well as imports, loans, leases and gifts. The activities of brokers – often key facilitators of the globalised deals whereby arms change hands - will also need to be regulated by the Treaty.

In setting an obligation for states to conduct a risk assessment before authorising any export of arms, you will have NZ’s support, Mr President, for a Treaty that does more than simply repeat the existing circumstances in which a state is already obligated not to transfer conventional arms internationally. In addition, then, to ensuring that arms are not transferred in breach of the United Nations Charter, Chapter VII Resolutions, or when they might be used in violation of international humanitarian law or international human rights law, the Treaty must codify the other circumstances when states should decline arms transfers.

These include situations where the arms being traded might be likely to: provoke or exacerbate internal or regional conflict; contribute to economic or social destabilisation and the displacement of people; be used by criminal groups or end up in the hands of terrorists.

International assistance and cooperation, including through the establishment of an Implementation Support Unit, will be essential for the effective implementation of an ATT since
many states, especially small developing ones, will need to rely on the provision of technical assistance and capacity-building to meet its requirements.

This is one of the points emphasised in the common position on key elements of an ATT which was recently adopted by members of the Pacific Islands Forum. The statement on behalf of the Forum which New Zealand, as its current Chair, will deliver in the coming days outlines our common position. For now, I note that it calls for a comprehensive framework for international cooperation and support, and identifies some possible options to avoid reporting obligations creating an undue burden particularly for Small Island Developing States.

I have heard it said, Mr President, that a month is not long enough to do all that we need to do here to adopt a Treaty that meets the objectives set for us in UNGA Resolution 64/48. But a month seems rather a long time when it follows on from two years of intensive preparatory meetings and, before that, a year of open-ended working group discussion. We are not starting without the wheel, so to speak. We have your text of July last year which provides us with an excellent basis for the way forward. And we now have the text you circulated on Tuesday night which we are studying carefully. So New Zealand has no fear that we will not be able to complete our work here before our “expiry date”.

I have also heard it said, perhaps stemming from the same concern about the lack of time here, that our Treaty should be a short one. But how long is a ‘short treaty’? Your Chair’s text of last July, Mr President, is not a long one. Surely the Treaty should be just as long as it needs to be to meet the task assigned it.

Its task is not to regulate a state’s internal matters, such as the conditions for domestic sales of arms or national systems of gun control or registration. Its provisions will not affect the ability of gun owners to enjoy the recreational uses of their weapons at home – nor when they travel abroad (for instance to compete in the London Olympics) unless of course they intend to “transfer” their weapons to others while they are outside their home country.

The task our Treaty must meet is to set the terms for the international arms trade. Its standards must be high to meet the expectations of so many that this Treaty will improve the chances for a better life, and peace and stability, in many parts of the globe.