Chairman’s Draft Paper
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Principles

1. Guided by the purposes and principles enshrined in the Charter of the United Nations, and reaffirming its respect for and commitment to international law;

2. Recognising that disarmament, non-proliferation and arms control, are essential for the maintenance of international peace and security;

3. Recognising the absence of commonly agreed international standards for the transfer of conventional arms and their diversion to the illicit market are contributory factors to armed conflict, serious violations of international human rights law and international humanitarian law, the displacement of people, transnational organized crime, terrorism and the illicit trade in narcotics, thereby undermining peace, reconciliation, safety, security, stability and sustainable social and economic development;

4. Recognising also the adverse effects caused by the unregulated and illicit arms trade, including human suffering resulting armed violence thereby exacerbating gender inequality, contributing to the use of child soldiers, undermining justice and weakening education and public health systems, particularly for vulnerable populations and thus the need for victim assistance to provide adequate rehabilitation and care;

5. Reaffirming the inherent right of all States to individual or collective self-defence in accordance with Article 51 of the United Nations Charter;

6. Reiterating the general prohibition against the use of force and threat of use of force and the principles of the peaceful settlement of disputes and non-interference in the internal affairs of States, as embodied by Article 2 of the United Nations Charter;
7. Recalling the commitment to the principles of political independence, sovereign equality and territorial integrity of all States, and acknowledging that peace and security, development and human rights are the foundations for collective security;

8. Reaffirming also the right of all States to territorial integrity and political independence;

9. Recalling the right of self-determination of all peoples, taking into account the particular situation of peoples under colonial or other forms of alien domination or foreign occupation, and recognizing the rights of peoples to take legitimate action in accordance with the Charter of the United Nations;

10. Acknowledging the right of all States to manufacture, develop, acquire, import, export, transfer and retain conventional arms and related items and capabilities for self-defence and security needs and in order to participate in peace support and humanitarian operations. This right does not create any obligation for States to do so and such rights must be exercised in accordance with international law;

11. Recognising that the control and regulation of the import, export and transfer of conventional arms and related items is done without prejudice to the priorities accorded to nuclear disarmament and weapons of mass destruction;

12. Recognising the sovereign right of States to determine any regulation of internal transfers of arms and national ownership exclusively within their territory, including through national constitutional protections on private ownership.

13. Recalling the obligations of all States to comply with United Nations Security Council decisions, including arms embargoes and sanctions,

14. Reaffirming their rights and obligations under international law, including international human rights law and international humanitarian law;

15. Mindful of the need to prevent the destabilising effects of excessive and uncontrolled conventional arms stockpiles and to prevent the diversion of conventional arms from the legal into the illicit market;

16. Reaffirming the need to prevent, combat and eradicate the irresponsible and illicit trade of conventional arms and related items,

17. Recognising that existing national, regional and subregional best practices on the import, export, and transfer of conventional arms can play an important role in furthering the goals and objectives of an Arms Trade Treaty;

18. Emphasising that the Arms Trade Treaty should enhance transparency and accountability in the conventional arms trade;
19. Recognising the legitimate political, security, economic and commercial interests of States in the import, export and transfer of conventional arms and related items;

20. Recognising the responsibility of all States to effectively regulate and control the import, export and transfer of conventional arms and related items;

21. Recognising the importance of the universal application of the Arms Trade Treaty and promoting its universal adherence;

22. Recognising that States may adopt more restrictive measures than those provided in the Arms Trade Treaty;

Goals and Objectives

An Arms Trade Treaty will:

1. Establish the highest possible common international standards for the import, export and transfer of conventional arms;

2. Prevent, combat, and eradicate the illicit transfer, production, and brokering of conventional arms;

3. Prevent international transfers of conventional arms that contribute to or facilitate: human suffering, serious violations of international human rights law and international humanitarian law, violations of UN sanctions and arms embargoes and other international obligations, armed conflict, the displacement of people, organized crime, terrorist acts and thereby undermining peace, reconciliation, safety, security, stability and sustainable social and economic development;

4. Contribute to international and regional peace, security and stability;

5. Promote transparency and accountability in import, export, and transfers of conventional arms;

6. Create controls to prevent the diversion of conventional arms conventional arms from legal markets and uses to illicit markets and unauthorised uses and users, including organized crime and terrorists.

7. Promote the goals and objectives of the UN Charter;