Preparatory Committee for the United Nations Conference on the Arms Trade Treaty
11 July 2011

Statement by H.E. Gary Quinlan
Ambassador and Permanent Representative of Australia to the United Nations

(Check against delivery)

Mr Chairman,

On behalf of the Australian delegation, I would like to express our appreciation for your latest papers on Implementation and Final Provisions.

They very usefully cover the key issues that we will be focusing on in our discussions this week and Australia looks forward to working through them with other UN Members under your very enviable chairmanship.

Mr Chairman

When we began the substantive consideration of the Arms Trade Treaty through this Preparatory Committee process a year ago, I think it is fair to say there were genuine doubts that we would be able to make progress before our 2012 deadline for achieving a Treaty itself.

But we have made progress. Member States have been constructive – reflecting the simple fact that the global community has an incontestable obligation to deter and prevent the spread of illicit arms. We need to maintain that constructiveness.

Our progress has also reflected the significant amount of intersessional activity that has taken place reflecting broader community and civil society engagement and interest in a Treaty. Australia has sought to contribute through our co-sponsorship of regional seminars and workshops on the ATT.

Such activities have helped to further inform the views of UN Members as we set out on this penultimate Preparatory Committee meeting.
Mr Chairman,

We do not underestimate the challenges we have. But we have an opportunity that we must use intelligently this week to build on the work of the past 12 months with focus and determination to conclude the framework of a Treaty to be negotiated at the Conference next year.

We would like to offer a few initial observations on your Implementation paper, and reserve our remarks on Final Provisions for later in the week.

First, the paper captures well, we believe, the breadth of the measures that will need to be taken to implement the ATT while providing flexibility on how those measures should be achieved.

Clearly, States will need to determine how best to implement the obligations and requirements of the ATT within their own jurisdictions. In other words, it is not a case of one size fits all.

Second, the paper clearly establishes that the ATT is not just an exporters’ Treaty: all States will need to take the necessary steps to control international transfers of arms and ensure they have effective laws and regulations to control the flow of arms into, out of or through their respective territories, and to cover brokering.

Again, we believe the measures necessary to implement these obligations will vary from State to State recognising that not all States are major exporters, or importers or transit or transshipment States.

Third, we recognise the importance of transparency to the effective functioning of the ATT including through reporting on implementation of the Treaty, and on international arms transfers.

Australia favours streamlined, simple and consistent reporting mechanisms.

Fourth, the paper contains provisions for information exchange and cooperation in law enforcement and judicial cooperation. Australia believes these are important confidence-building measures.

We believe also that the provisions setting out obligations in relation to international cooperation and assistance will help to ensure that all States can implement their obligations under the ATT, and will act as a further important confidence-building measure.

Finally, Mr Chairman, Australia believes ATT implementation requirements should continue to develop over time.

Accordingly, we would support States Parties undertaking a comprehensive future work program following the ATT’s entry into force to develop among other things implementation guidelines, best practices, model implementing legislation and control lists, harmonisation of such lists, end-user certification and reporting templates.

Mr Chairman

Australia has a number of specific drafting suggestions on the implementation paper which we propose to provide to you in writing.

In conclusion, I should simply reiterate that Australia considers that agreeing on functional, achievable and flexible implementation provisions will be the cornerstone of an effective Treaty. We look forward to participating in the discussions on
implementation this week. We remain absolutely committed to doing all we can to work with other Member States – and you Mr Chairman – to make serious progress this week. And in the lead-up to our final PrepCom early next year. And to sign off on a Treaty in 2012.