JOINT STATEMENT BY THE DELEGATIONS OF:
THE BAHAMAS, CHILE, COLOMBIA, GUATEMALA, JAMAICA, MEXICO, PERU, TRINIDAD AND TOBAGO and URUGUAY

AT THE THIRD MEETING OF THE PREPARATORY COMMITTEE FOR THE UNITED NATIONS CONFERENCE ON THE ARMS TRADE TREATY

Mr. Chairman,

I have the honour to speak on behalf Bahamas, Chile, Colombia, Guatemala, Jamaica, Mexico, Peru, Trinidad and Tobago and Uruguay.

At the outset let me thank you for the presenting us with two informal draft papers on "Implementation" and "Final Provisions". We believe that they constitute a good basis to trigger our discussion on these important subjects.

In general terms, we consider that there is a need to establish legally binding international regulations and mechanisms with the highest possible common international standards to control the trade of arms. In this regard, the ATT should constitute a general framework that would allow for uniformity or adjustments of national legislations, without prejudice to higher standards already in place within States Parties.

There is a need to prevent the trade of arms outside such regulations and mechanisms. Regulating the parameters for the transfer of arms without assuring such transfers are not diverted would seriously undermine the Treaty.

Mr. Chairman,

Implementation of the ATT should be carried out in accordance with its principles, in particular respect for human rights and international humanitarian law, which, as mentioned in our Joint Statement of July 2010, are fundamental pillars of the Treaty.

In order to have clear rules for the implementation of a future ATT we should avoid using ambiguous terms and concepts, such as a reference to 'political abuse', which may undermine the treaty with arbitrary interpretations.
Regarding the final provisions, we consider it advisable for the Treaty to enter into force following the formula that you have presented, and we further suggest that the future ATT enters into force after the thirtieth instrument of ratification, acceptance, approval or accession has been deposited.

We support your proposal that a Review Conference should be convened 5 years after the entry into force of the Treaty and every five years thereafter. Additional to the tasks to be carried out by the Conference, and bearing in mind the continued technological improvements of the arms industry, said Conference should also have the mandate to review the scope of application of the Treaty, so that it could eventually be expanded.

Taking into consideration that the ATT seeks to assure a lawful transfer of conventional weapons by States, confidence building measures should be in place. Hence, we believe that CBMs would play an important role under the section Consultations.

With regards to the peaceful settlement of disputes, we consider that its provisions should be further elaborated and that they should also include mechanisms to address cases of non-compliance, including controversies that could arise from the interpretation and application of this Treaty.

Mr. Chairman,

We note that in the draft paper that you presented to us on 3 March 2011 regarding the elements that would comprise a future ATT, Implementation and Application, and International Cooperation and Assistance, are presented as two different sections. However, we believe that international cooperation and assistance is a key component in ensuring that implementation of the ATT is carried out in an effective manner in order to achieve the objectives of the Treaty, namely to regulate international arms transfers and to avoid diversion.

Therefore, it is imperative that the Treaty include provisions on international cooperation which would facilitate the provision of assistance to those States which may require it in setting up national control systems in order to give effect to the Treaty provisions, including legislative and institutional assistance, taking into account the existing capacities of each State.

Furthermore, given the nature of a future ATT we consider that exchange of information is a key element of cooperation among States Parties for the successful implementation of the Treaty and could also prevent situations leading to the diversion of arms into the black market.