ATT/Implementation

Let me at the outset join previous speakers in thanking you for providing us with two additional papers on implementation and final provisions. These papers are a further demonstrating of the efficiency of your approach. Thank you for the way you are conducting our proceedings.

Finland aligns itself with the EU statement. At the same time we propose to offer few brief general remarks on a national basis on some of the issues in your paper on implementation. Many elements are so close to our thinking that I do not see need to dwell on them at this stage.

Implementation provisions are crucial in efforts to establish a strong and effective ATT. I goes without saying that their eventual formulation will depend on other parts of the Treaty such as scope and parameters.

The general elements and requirements of the implementation mechanism should be clearly spelled out in the treaty. It is the national responsibility of each and every state party to turn the treaty obligations into legislation and administrative measures.

Important as these provisions are, their implementation should be as simple as possible and as efficient as feasible and be based on national practices.

As decisions will be national, national systems matter most. Legislation and administration should be geared towards the ATT requirements. That would best guarantee a speedy, responsible and predictable decision-making. Parties have to make sure that they have the ability to implement the treaty provisions and the will to act accordingly.

The arms trade treaty is about regulating transfers. Exports are the key part of the treaty as an act of export constitutes the first occasion arms are transferred internationally. The other forms of transfers have another point of departure and they should be treated on their own merits. The ability to control various forms of transfers and to prevent illicit transfers is the key here. These requirements can be fulfilled in different ways in different situations. This approach is well reflected in your paper with different solutions to export, import and transit.

A few words on denials: licence decisions are national decisions, they are a national prerogative. There is no obligation to export. Accordingly this state of affairs will have to be reflected in how transparency is applied to denials and how they are reported. Aggregate figures would be the most suitable reporting method. In this context it is worth mentioning that it would be possible to raise questions on implementation in the meeting of states parties once it has been established.

Transparency would be an important feature in the ATT. Reporting is the concrete form of transparency. It makes possible for states parties as well as civil society at large to appraise how the treaty provisions are applied nationally and worldwide. Reporting should be so defined that best fulfills there requirements without being too burdensome.

National implementation calls for an effective national coordination. The system is bound to involve a number of actors on the national level. Accordingly, legislation and administrative measures have to be complemented by a culture of cooperation among the various actors in the decision-making process.

In conclusion, the work of the Prepcom seems to be well under way to achieve the goal set for us by the international community for the UN Conference on an arms trade treaty in the year 2012.