Intervention by

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On the Occasion of the

THIRD PREPARATORY COMMITTEE MEETING FOR THE UNITED NATIONS
CONFERENCE ON THE ARMS TRADE TREATY
a) Consideration of the Implementation of the Arms Trade Treaty

11 – 15 July 2011
United Nations Headquarters, New York
Your Excellency Ambassador Roberto Garcia Moritan. At the outset the Philippines would like to express its appreciation for your efforts. My delegation concurs with calls for the creation of an ATT that could provide for a more responsible system of control on the imports, exports, and transfers of conventional arms. The Philippines further commends you on the papers on implementation and final provisions of an ATT.

On implementation, the Philippines feels that States should be able to establish their respective national control processes that will take into consideration their respective laws and policies, as well as administrative systems. Furthermore for States to effectively implement the treaty, in particular developing States, the future ATT should encourage assistance, especially in terms of technical assistance, capacity building, information-sharing, and sharing of expertise.

The Philippines strongly supports elements listed under part I. on Implementation, specifically item numbers 2, 3, and 4 on the right of self-defense, resistance to political abuse and having a national contact point.

On section A on National Authority and Systems, specifically item number 4 under exports, a distinction must be made between what an exporting State can do to prevent the illicit transfer and what an importing State can do within its sovereign right to exercise authority over its territory. The text is vague on the responsibilities exporting States have in the arms transfer process. It is safe to assume that once an export has been authorized by the exporting State, all measures were taken to ensure that the transfer is legitimate. The matter then becomes a domestic issue within the sovereignty of the importing State. The ATT must reflect respect for the principles of sovereignty and territorial integrity and must be consistent throughout.

Under the heading B. on Transfer Denials, on item number 3 it would be practical to set-up a database of information available to States Parties to verify whether an entity within an importing State has been denied authorization before. There should be a strong emphasis that while past denials can be reviewed, risk assessments on individual transfers must still be performed on a case by case basis. Under the same heading, item 5, it is possible that States Parties may fail to reach an agreement on a denial of transfer. If so, a third party may be required to assist in settling the matter.

Under the heading C. on Record keeping, Reporting, and Transparency, not all States have the capacity to implement the treaty outright. The ATT would require setting up and strengthening export control mechanisms. In this regard measures must be taken under the principle of International Cooperation and Assistance to ensure that all States Parties can reasonably comply with the ATT. It would also be beneficial to examine existing mechanisms with the end view of harmonizing and streamlining reporting commitments.
Under heading E on the *Implementation Support Unit*, on the reports to be submitted to the unit, such reports can include a description on the perceived effectiveness of the activities undertaken in the implementation and impact of the ATT on national and regional development. This data can be used in assessing the effectiveness of the ATT.

Mr. Chairman,

In closing the Philippines extends its full support to the work of the Preparatory Committee and will contribute to forging an early consensus on pressing issues to enable the process to move towards the adoption of an unprecedented Arms Trade Treaty.

Thank you.