Mr. Chairman,

The delegation of Brazil thanks you for issuing the draft paper on “Final Provisions”.

We would like to convey our position with regard to Section C of the paper (entitled “Entry into Force”).

Brazil is in favor of a legally-binding Arms Trade Treaty that has universal application. Universality would be a crucial aspect for an ATT’s effectiveness, so as to prevent that important trade flows of conventional arms continue to exist without proper regulation.

It is our view that the modality for the entry into force of an ATT, either qualitative or quantitative, will depend on the level of ambition of the obligations contained therein.

For instance, an ATT with the elements currently contained in your draft paper on Implementation, such as transfer denials and comprehensive and compulsory reporting mechanisms, would undoubtedly need a qualitative approach for its entry into force. In this case, the accession of the major arms exporting countries would be required so as not to generate inappropriate effects that would discriminate State Parties vis-à-vis non State Parties to an ATT.

In the case of an ATT based on simpler implementation measures, basically providing for national measures to be applied by Member States, the modality for its entry into force could be quantitative, with a reasonable number of members ratifying it to bring it into force.
My delegation considers therefore that any decision on the entry into force will have to wait for a clearer picture on the obligations contained in the treaty.

With regard to Section F of your draft paper (entitled “Amendments”), we believe that more precision could be offered with regard to the procedures for introducing amendments to the treaty. In this sense, my delegation believes that any amendments would naturally have to be adopted by any Review Conference on the basis of consensus.

I thank you, Mr. Chairman.