ATT: FOURTH PREPARATORY COMMITTEE
NEW ZEALAND STATEMENT
14 FEBRUARY 2012

Mr Chair,

At the time of its adoption, the support for UNGA Resolution 64/48 -- and therefore for the process of drafting an ATT - was overwhelming. Those very few countries who did not then vote in favour of it now seem very committed to the text of the Resolution. I take this as a good sign and evidence of the fact that our UN membership is now - across the board - committed to the ATT process and to securing a strong, robust Treaty this July.

To help us do so, we have, under the evolutionary process of the PrepCom, a comprehensive Chair’s text with a range of possible elements of an ATT and which will provide us with a point of departure for the July negotiations.

All the views of all of our delegations may not indeed be reflected in your Chair’s text (and this is the case, too, for the NZ Delegation). As you yourself noted yesterday, Mr Chair, there is a veritable “rainbow” of viewpoints on the issues involved - and a Chair’s text cannot be a rainbow document.

As a paper reflecting our Chair’s distillation of predominant positions taken by delegations here over the course of the last two years, the Chair’s text looks backwards over the PrepCom process. But it also positions us to move forward and begin the July negotiation. It would be hard to believe that any delegation suggesting we did not need this platform to begin our work in July really was committed to securing a satisfactory outcome for the ATT process.

We could of course ultimately get to the same launching point during July without the Chair’s text - via an intensive, duplicative mini-repeat of the PrepCom process - but this would not leave us enough time for any proper in-depth evaluation of key issues and we would then be compelled to complete the ATT process after July, and without the guidance of UNGA Resolution 64/48.

As to the issues before this PrepCom, you have our thanks, Mr Chairman, for the papers you have circulated which put forward a draft agenda and rules of procedure for the July negotiations. We support the agenda as now orally revised as well as the other procedural elements agreed yesterday.

In terms of the need for parallel meetings, as might be required to ensure a successful outcome in July, we are certain, Mr Chair, that you will do your utmost to ensure that small delegations such as those from our region of the Pacific are not disadvantaged by this. We note the useful suggestion put
forward in the CARICOM statement yesterday about the possibility of plenary report-backs as a means of keeping all delegations fully informed.

In terms of the draft Rules of Procedure, we agree with the comment made by the Delegation of the European Union, that it is UN practice that should guide us on these - including in terms of what exactly "consensus" is. While consensus has no formal status in the UN General Assembly's own rules of procedure, UN practice tells us that consensus is a process for decision-making which avoids formal objections and voting. Equally, most usually, consensus only relates to final outcome decisions - and not to substantive way-stations, or to procedural issues. We agree with the similar points on this made by CARICOM and many others here.

In terms of the involvement of NGOs in our work we agree entirely with the suggested change to Rule 63 (d) regarding the ability of NGOs to make "statements" during the process rather than a single "statement". In terms of Rule 57.2, we would endorse something along the lines of the suggestion put forward by Norway that the language of draft Rule 57.2 should be reversed: so that in general meetings of other organs of the Conference would be public unless decided otherwise. This would ensure that our negotiations in July were indeed conducted in an open and transparent manner.

The results of our work - the Arms Trade Treaty - will be entirely public. Why should the process leading to its adoption not also be public? Especially so given the valued contribution that the full range of civil society participants and stakeholders continue to make to our process.

We are grateful for your guidance and expertise as our chair, Ambassador Moritan, and we look to the continuation of this as our President in July.